Midvale City
7505 South Holden Street
Midvale, UT 84047
801-567-7200
www.midvalecity.org

MIDVALE CITY COUNCIL MEETING
AGENDA
April 19, 2016

PUBLIC NOTICE IS HEREBY GIVEN that the **Midvale City Council** will hold a regular meeting on the **19th Day of April, 2016** at Midvale City Hall, 7505 South Holden Street, Midvale, Utah as follows:

6:30 PM
INFORMATIONAL ITEMS

I. DEPARTMENT REPORTS

II. CITY MANAGER BUSINESS

7:00 PM
REGULAR MEETING

III. GENERAL BUSINESS

A. WELCOME AND PLEDGE OF ALLEGIANCE
B. ROLL CALL
C. Presentation from ULGT on TAP Award

IV. PUBLIC COMMENTS

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

V. COUNCIL REPORTS

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

VI. MAYOR REPORT

A. Mayor JoAnn B. Seghini

VII. PUBLIC HEARING(S) - 7:00 PM

A. Consider a Text Amendment to Modify Building Heights and Setbacks in the RM-12, RM-25, State Street Commercial, and TOD Zones ***[Lesley Burns, City Planner]***

ACTION: Approve Ordinance No. 2016-O-04, a Text Amendment to Modify Building Heights and Setbacks in the RM-12, RM-25, State Street Commercial, and TOD Zones

[Lesley Burns, City Planner]

VIII. CONSENT AGENDA

A. Approve Minutes of March 16, April 5 & 12, 2016 ***[Rori Andreason, H.R. Director/City Recorder]***

IX. ACTION ITEMS

A. Approve Resolution No. 2016-R-14 Authorizing the Mayor to enter into an agreement with Salt Lake County for the use of the Senior Center ***[Kane Loader, City Manager]***

X. ADJOURN

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

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

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

DATE POSTED: APRIL 15, 2016

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

MIDVALE CITY COUNCIL SUMMARY REPORT

April 19, 2016

SUBJECT:

Public Hearing on Zoning Ordinance Text Amendment to modify building heights and setback standards in the RM-12, RM-25, State Street Commercial and TOD zones

SUBMITTED BY:

Lesley Burns, City Planner

SUMMARY:

There have been discussions with both the City Council and Planning Commission in the past few months to address recent community concerns regarding building heights and setbacks in areas immediately adjacent to single family residential zones. Of particular concern is the potential for five story buildings to be developed near single family residential neighborhoods. After reviewing the development standards in the RM-12, RM-25, State Street Commercial (SSC) and Transit Oriented Development (TOD) zones, which are directly adjacent to single family residential zones, it was found that each of the zones has different buffering and height requirements for new multi-family and commercial buildings. The attached tables summarize the allowable building heights and required setbacks currently in the ordinance.

Looking to balance the need to provide appropriate areas for growth and new development to occur while protecting adjacent, stable residential neighborhoods from the impacts of more intense development, Staff proposed the following concepts be implemented into the zoning ordinance text in the RM-12, RM-25, SSC and TOD zones regarding building heights and setbacks. Specific language is proposed in Attachment A.

- Utilizing the concept currently included in the TOD zone that larger setbacks from single family residential zones are required as building heights increase, make the setbacks for various buildings heights the same in all four zones.
- Include the 15 foot residential landscape buffer requirement (to include 6 foot masonry wall, large trees and shrubs) currently in the TOD zone, in the other three zones.
- Unless projects have frontage on State Street or 7200 South, limit building heights to 4 stories with a 66 foot setback from single family residential zones.
- Projects with frontage on State Street or 7200 South would have the ability to go up to 6 and 7 stories if the building is a mixed-use structure and up to 5 stories if the building is commercial or mixed-use (graduated setbacks from adjacent single

family residential zones still required). The maximum building height for multi-family buildings would be 4 stories.
- Modifying the current definitions for "mixed-use" to avoid confusion.

This was presented to the Planning Commission at a public hearing held on March 9, 2016. After receiving public input, the Planning Commission had a lengthy discussion and requested some information on what other cities in the area are doing. The Planning Commission also formulated a number of questions to consider at its next meeting. These included, but were not limited to, the following. These questions are key components of the City's General Plan Update, currently underway, which is intended to guide the City in its land development decisions to ensure these decisions are working towards achieving the overall goals of the City.

- How does the proposed text amendment fit within the current General Plan Update process?
- Are the concerns we are trying to address with the proposed text amendment community-wide concerns or the reaction to an isolated issue?
- What implications does the proposed text amendment have on future growth and opportunities to provide sustainable services to the City's residents?
- Is the "one size fits all" approach the best solution or do we need to consider different development requirements in different areas?

Planning Commission Recommendation

After another lengthy discussion on March 23, 2016, the Planning Commission forwarded the following recommendation to the City Council:

> *"I move that we forward a recommendation to the City Council to make no changes to the ordinance with regard to building heights and setbacks in the RM-12. RM-25, SSC and TOD zones until a more comprehensive review of all of the issues can be done that is based on the considerations and goals of the General Plan Update. It is our hope that these changes can be made immediately upon the approval of the General Plan update. The Commission further expresses to the City Council the sense of the Commission that the City needs to promote higher density commercial and residential projects in the TOD and SSC zones. It is the hope of the Commission that this will be reflected in the updates to the General Plan."*

City Council Discussion – April 5, 2016

During the discussion on April 5, 2016, the City Council requested Staff put together alternative language to Attachment A that would not require buildings to be mixed use or commercial in order to be 5, 6 or 7 stories. This also requires a modification to the definition for "mixed-use". Attachment B includes this alternative. All other components of the original proposal would remain, including setbacks from residential zones.

If the City Council decides to adopt the text amendments in either Attachment A or Attachment B, Staff has prepared an ordinance, Ordinance No. 2016-O-04. In adopting this ordinance, the City Council will need to decide whether to include Attachment A (requiring 5 story structures to be commercial or mixed use and requiring 6 and 7 story structures to be mixed use) or Attachment B (allowing 5, 6 and 7 story structures to be residential, commercial or a mix).

FISCAL IMPACT:

N/A

STAFF RECOMMENDATION:

The City Council has a number of options in addressing this item:

1. Follow the Planning Commission's recommendation making no changes to the current ordinance with regard to building heights and setbacks in the RM-12. RM-25, SSC and TOD zones until a more comprehensive review of all of the issues can be done that is based on the considerations and goals of the General Plan Update.
2. Adopt proposed Ordinance No. 2016-O-04 with Attachment A which provides for the following:
    - Utilize the development standards currently in the TOD zone requiring larger setbacks from single family residential zones as building heights increase in the RM-12, RM-25 and SSC zones.
    - Require the 15 foot residential landscape buffer standard (to include 6 foot masonry wall, large trees and shrubs) currently in the TOD zone, in the RM-12, RM-25 and SSC zones.
    - Unless projects have frontage on State Street or 7200 South, limit building heights to 4 stories with a 66 foot setback from single family residential zones.
    - Allow projects with frontage on State Street or 7200 South to go up to 6 and 7 stories if the building is a mixed-use structure and up to 5 stories if the building is a commercial or mixed-use structure. The maximum building height for multi-family buildings is 4 stories.
3. Adopt proposed Ordinance No. 2016-O-04 with Attachment B which provides for the following:
    - Utilize the development standards currently in the TOD zone requiring larger setbacks from single family residential zones as building heights increase in the RM-12, RM-25 and SSC zones.
    - Require the 15 foot residential landscape buffer standard (to include 6 foot masonry wall, large trees and shrubs) currently in the TOD zone, in the RM-12, RM-25 and SSC zones.
    - Unless projects have frontage on State Street or 7200 South, limit building heights to 4 stories with a 66 foot setback from single family residential zones.

- Allow projects with frontage on State Street or 7200 South to go up to 7 stories regardless of use, i.e. remove mixed-use requirement for 6 and 7 story buildings.

4. Request Staff to put together different ordinance language for consideration at the next meeting.

Staff recommends the City Council conducts a public hearing, considers the comments received as well as the information provided, and makes one of the following motions.

RECOMMENDED MOTIONS:

Option 1 – Planning Commission Recommendation

"I move that we make no changes to the ordinance with regard to building heights and setbacks in the RM-12. RM-25, SSC and TOD zones until a more comprehensive review of all of the issues can be done that is based on the considerations and goals of the General Plan Update."

Option 2 – Text Amendment with mixed-use buildings required for additional height

"I move that we adopt Ordinance No. 2016-O-04 with Attachment A, modifying building heights and setback standards in the RM-12, RM-25, State Street Commercial and TOD zones."

Option 3 - Text Amendment with no mixed-use buildings required for additional height

"I move that we adopt Ordinance No. 2016-O-04 with Attachment B, modifying building heights and setback standards in the RM-12, RM-25, State Street Commercial and TOD zones."

Option 4 – Modify proposed text amendment language

"I move that we table a decision on this item, allowing Staff time to modify the proposed text amendment language and bring it back to the Council for further review and approval. Items to be addressed with the modified language include the following:

1. . . .
2. . . ."

Attachments:

- Summary of current ordinance
- Proposed Ordinance No. 2016-O-04
- Attachment A – Mixed-use buildings required for additional height
- Attachment B – No mixed-use buildings required for additional height

TOD Zone

	Existing Ordinance	Proposed Text Amendment
Max Building Height	5 stories	4 stories
Max Building Height with State Street or 7200 South Frontage	7 stories (6-7 stories must be mixed use)	7 stories (5 stories must be commercial or mixed use) (6-7 stories must be mixed use)
Setback from Single Family Zones:		
1-2 stories	15’	15’
3 stories	37’	37’
4 stories	66’	66’
5 stories*	83’	83’
6 stories**	100’	100’
7 stories**	116’	116’
15’ Residential Landscape Buffer	Required	Required

*Buildings must be all commercial or mixed use
**Buildings must be mixed use

Commercial & Mixed Use Projects
State Street Commercial Zone

	Existing Ordinance	Proposed Text Amendment
Max Building Height for Commercial	55’ for sloped roof/52’ for flat roof (height allows 5 stories)	5 stories
Max Building Height for Mixed Use	75’ for sloped roof/72’ for flat roof (height allows 7 stories)	7 stories
Setback from Single Family Zones:		
1-2 stories	No side yard 20’ rear yard	15’ side yard (residential landscape buffer) 20’ rear yard
3 stories	No side yard 20’ rear yard	37’
4 stories	No side yard 20’ rear yard	66’
5 stories*	50’	83’
6 stories**	unclear	100’
7 stories**	50’	116’
15’ Residential Landscape Buffer	Not required	Required

*Buildings must be all commercial or mixed use and have frontage on State Street or 7200 South

**Buildings must be mixed use and have frontage on State Street or 7200 South

Multifamily Projects
State Street Commercial Zone and RM-25 Zone

	Existing Ordinance	**Proposed Text Amendment**
Max Building Height	4 stories (42’ for sloped roof/36’ for flat roof)	4 stories (42’ for sloped roof/36’ for flat roof)
Setback from Single Family Zones:		
1-2 stories	10’ side yard 20’ rear yard	15’ side yard (residential landscape buffer) 20’ rear yard
3 stories	10’ side yard 20’ rear yard	37’
4 stories	50’	66’
15’ Residential Landscape Buffer	Not required	Required

Multifamily Projects
RM-12 Zone

	Existing Ordinance	Proposed Text Amendment
Max Building Height	3 stories (35’ for sloped roof/30’ for flat roof)	3 stories (35’ for sloped roof/30’ for flat roof)
Setback from Single Family Zones:		
1-2 stories	8’ side yard 20’ rear yard	15’ side yard (residential landscape buffer) 20’ rear yard
3 stories	8’ side yard 20’ rear yard	37’
15’ Residential Landscape Buffer	Not required	Required

ORDINANCE NO. 2016-O-04

AN ORDINANCE MODIFYING BUILDING HEIGHTS AND SETBACKS IN THE RM-12, RM-25, STATE STREET COMMERCIAL AND TRANSIT ORIENTED DEVELOPMENT ZONES (SECTIONS 17-7-3, 17-7-4, 17-7-7, 17-7-8 OF THE MIDVALE MUNICIPAL CODE); ALSO PROVIDING A SAVING CLAUSE AND AN EFFECTIVE DATE FOR THE ORDINANCE.

WHEREAS, pursuant to Sections 10-9a-501 through 10-9a-504 Utah State Code, the City has the authority to make and amend a zoning plan which divides the City into zoning districts and within those districts to regulate the erection, construction, re-construction, alteration, and uses of buildings and structures and the uses of land to promote the prosperity, improve the morals, peace and good order, comfort, convenience, and aesthetics of the municipality; and

WHEREAS, on January 2, 2002, the Midvale City Zoning Ordinance (Title 17 of the Midvale Municipal Code) became effective and may be subject to amendments from time to time; and

WHEREAS, since this effective date, Midvale City has found a number of areas that require amendments to the text of the ordinance in order to correct errors and omissions, clarify the intent of the language, and/or include new provisions to further the purpose and intent; and

WHEREAS, on September 15, 2015, the Midvale City Council adopted a temporary land use regulation, Ordinance No. 2015-O-09, creating an opportunity to address the challenges associated with implementing the existing zoning ordinances with respect to building height, setbacks and landscape buffers for higher density/intensity projects adjacent to single family residential neighborhoods; and

WHEREAS, during the six-month period of this temporary land use regulation, the City, through workshop meetings with the City Council and Planning Commission, discussed ways to amend the development standards in the RM-12, RM-25, SSC and TOD zones to address these transition areas; and

WHEREAS, the Planning Commission held a public hearing on March 9, 2016 to formally consider proposed text amendment language regarding this issue, with such meeting being preceded by notice through publication in the Salt Lake Tribune and Deseret News on February 24, 2016, and the Planning Commission forwarded a recommendation on such to the City Council on March 23, 2016; and

WHEREAS, the City Council of Midvale City, Utah held a public hearing on April 19, 2016, which meeting was preceded by notice through publication in the Salt Lake Tribune and Deseret News on April 5, 2016; and

WHEREAS, the City Council has taken into consideration citizen testimony, planning analysis, and the Planning Commission's recommendation, and has determined

that the attached text amendment language is appropriate and within the best interests of the City as a whole in protecting and promoting the health, safety, welfare and aesthetic quality of Midvale City.

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

Section 1. The following chapters and sections of the Midvale Municipal Code are hereby amended as included in the ATTACHMENT to this document.

Section 2. If any part of this ordinance or the applications thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined to its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

Section 3. This ordinance shall be effective upon publication of a summary thereof.

PASSED AND APPROVED this ____ day of _____, 2016.

_____
JoAnn B. Seghini, Mayor

ATTEST:

_____
Rori Andreason, MMC
City Recorder

Date of first publication: _____

Voting by City Council	"Aye"	"Nay"
Stephen Brown	_____	_____
Paul Glover	_____	_____
Paul Hunt	_____	_____
Wayne Sharp	_____	_____
Quinn Sperry	_____	_____

ATTACHMENT A

Additions
~~Deletions~~

Definitions – Chapter 17-2

Eliminate current definitions for Mixed-use, i.e. "Commercial mixed-use", "Horizontal mixed-use" and "Vertical mixed use", and replace with a new definition for "Mixed-use".

> ~~"Commercial mixed-use" means development which incorporates a mix of uses, including retail commercial, and/or offices and residential.~~
>
> ~~"Horizontal mixed-use" means commercial and residential uses which are within close proximity to each other and designed in a "village" manner, but not necessarily within the same building structures.~~
>
> ~~"Vertical mixed-use" means commercial and residential uses which are within the same building structure.~~
>
> "Mixed-use" means a structure which incorporates a mix of uses to include retail/service commercial and residential or office and residential. To be considered mixed use, a substantial portion of the structure's ground floor shall incorporate retail/service commercial and/or office uses.

TOD Zone – Chapter 17-7-8

1. Amend Section 17-7-8.4, medium and high density residential development standards, as follows:

A. Setbacks. New development shall comply with the following setbacks:

4. Single Family Setback. The minimum setback from the property line, when adjacent to a single family residential zone, is fifteen feet, subject to the following exceptions:

a. Three-story structures must be set back thirty-seven feet and four-story structures must be set back sixty-six feet. ~~and five-story structures must be set back eighty-three feet.~~ Structures can have stepped building heights to accommodate setbacks.

b. Projections. Sills, cornices, chimneys, flues, eaves, and ornamental features may project into the rear yard up to two and one-half feet.

c. Stairs and Balconies. Outside stairways and balconies may project into the rear yard up to three feet.

5. Each unit shall have access to a common area of at least three hundred square feet in size for each unit adjacent to said space, or a private yard of at least three hundred square feet in size shall be provided at the rear of each structure.

B. Build-to Line. The front yard setback is the build-to line. At least fifty percent of the front elevation must be built within three feet of the build-to line.

C. Height. The maximum height for a residential structure is ~~five~~ four stories. ~~When a residential structure is located within sixty-five feet of a single family structure, the maximum height of the structure or portion of the structure is three stories.~~

2. Amend Section 17-7-8.5; retail, office and mixed-use development standards; as follows:

B. Setbacks.

4. Single Family Setback. The minimum setback from the property line, when adjacent to a single family residential zone, is fifteen feet, subject to the following exceptions:

a. Three-story structures must be set back thirty-seven feet; four-story structures must be set back sixty-six feet; five-story structures must be set back eighty-three feet; six-story structures must be set back one hundred feet; and seven-story structures must be set back one hundred sixteen feet. Structures can have stepped building heights to accommodate setbacks.

b. Projections. Sills, cornices, chimneys, flues, eaves, and ornamental features may project into the rear yard up to two and one-half feet.

c. Stairs and Balconies. Outside stairways and balconies may project into the rear yard up to three feet.

D. Height.

1. Mixed-Use. The maximum height for a mixed-use structure is seven stories. Buildings of five, six and seven stories are limited to State Street and 7200 South frontages. ~~When a mixed-use structure or portion of a structure is located within sixty-five feet of a single family residential structure outside the project/development boundary, the maximum height of the structure or portion of the structure is three stories.~~

2. Commercial. The maximum height for a commercial structure is five stories. ~~When a commercial structure is located within sixty-five feet of a single family structure outside the project/development boundary, the maximum height of the structure or portion of the structure is three stories.~~ Commercial buildings of five stories are limited to State Street and 7200 South frontages.

~~G. Stories. All building types must be from one to seven stories.~~

SSC Zone – Chapter 17-7-7

1. Amend Section 17-7-7.4 Lot and development standards as follows:

The following development standards apply to all new development in the zone:

A. Setbacks. New development shall comply with the following setbacks:

1. Front. The minimum front yard setback is fifteen feet, which shall consist of a ten-foot wide sidewalk, a five-foot park strip, and tree wells, subject to the following exceptions:

a. Corner Lot Rule. Corner lots have two front yards, with a twenty-five foot setback.

b. Projections. Skylights, sills, cornices, chimneys, flues and ornamental features may project into the front yard up to two and one-half feet. Eaves and awnings may project into the front yard up to eight feet so long as the eaves or awnings are at least eight feet above ground.

c. The structure may be set back an additional fifteen feet to allow for the inclusion of an outdoor dining area or courtyard.

2. Rear. The rear yard setback is twenty feet, subject to the following exceptions:

a. Projections. Skylights, sills, cornices, chimneys, flues, eaves, and ornamental features may project into the rear yard up to two and one-half feet.

b. Stairs and Balconies. Outside stairways and balconies, may project into the rear yard up to three feet.

c. Corner Lot Rule. On corner lots, there is no rear yard.

3. Single Family Setback. The minimum setback from the property line, when adjacent to a single family residential zone, is fifteen feet, subject to the following exceptions:

a. Three-story structures must be set back thirty-seven feet; four-story structures must be set back sixty-six feet; five-story structures must be set back eighty-three feet; six-story structures must be set back one hundred feet; and seven-story structures must be set back one hundred sixteen feet. Structures can have stepped building heights to accommodate setbacks.

b. Projections. Sills, cornices, chimneys, flues, eaves, and ornamental features may project into the rear yard up to two and one-half feet.

c. Stairs and Balconies. Outside stairways and balconies may project into the rear yard up to three feet.

B. Build-To Line. The front yard setback is the build-to line. At least fifty percent of the front facade must be built within three feet of the build-to line on all interior lots and at least thirty percent of the front facade must be built within three feet of the build-to line on all corner lots. Recessed plazas, courtyards and trellises are encouraged.

C. Height.

~~1. Mixed-Use. The maximum height for a mixed-use structure is fifty-five feet for a sloped roof or fifty-two feet for a flat roof, and may extend up to seventy-five feet for a sloped roof or seventy-two feet for a flat roof for portions of the structure more than fifty feet from a single family residential zoning district.~~

~~2. Commercial. The maximum height for a commercial structure is thirty-five feet for a sloped roof or thirty-two feet for a flat roof, and may extend up to fifty-five feet for a sloped roof or fifty-two feet for a flat roof for portions of the structure more than fifty feet from a single family residential zoning district.~~

1. Mixed-Use. The maximum height for a mixed-use structure is seven stories. Buildings of five, six and seven stories are limited to State Street and 7200 South frontages.

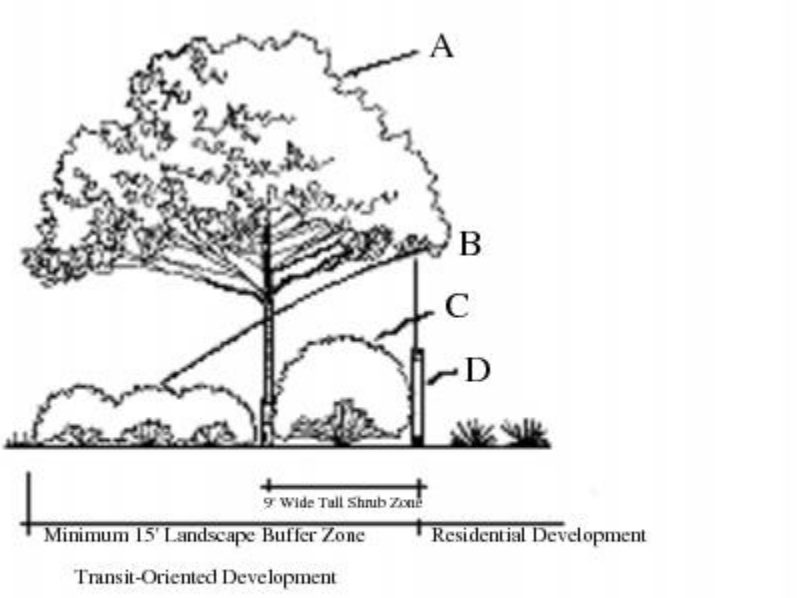
2. Commercial. The maximum height for a commercial structure is five stories.

3. Residential. The maximum height for a residential structure is four stories.

2. Add following language to Section 17-7-7.7, Required landscaping:

Single Family Residential Zone Buffer. New development shall provide a minimum fifteen-foot landscaped buffer consisting of large trees, shrubs, and a six-foot screening wall as approved by the planning commission. The screening wall shall be constructed of wood, metal, brick, masonry or other permanent materials along all property boundaries adjacent to single family residential zones.

Single Family Residential Zone Buffering Standard



A – Large (Class 3) trees 30' on center (alternate with 8' tall evergreens)
B – Low shrub buffer
C – Tall shrub zone (8' – 10' mature height)
D – Six-foot-tall screening wall as approved by commission

RM-25 Zone – Chapter 17-7-4

Add a section for new Multifamily Development to include:

1. Setbacks from single family residential zone:

Single Family Setback. The minimum setback from the property line, when adjacent to a single family residential zone, is fifteen feet, subject to the following exceptions:

a. Three-story structures must be set back thirty-seven feet; four-story structures must be set back sixty-six feet. Structures can have stepped building heights to accommodate setbacks.

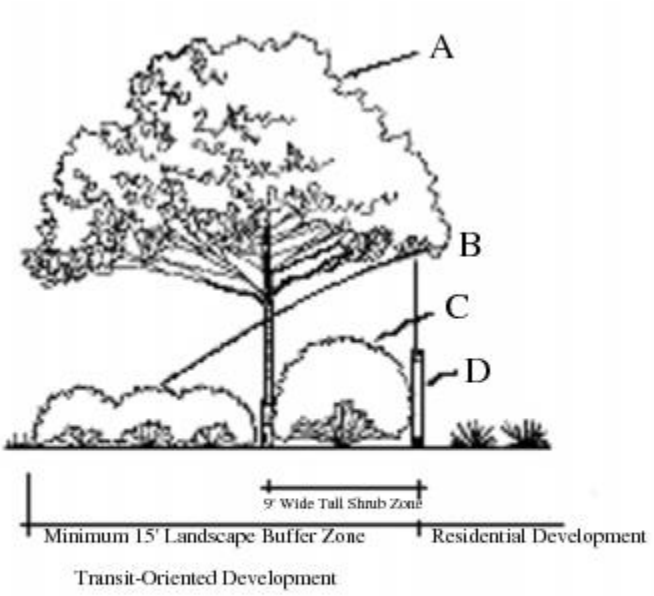
b. Projections. Sills, cornices, chimneys, flues, eaves, and ornamental features may project into the rear yard up to two and one-half feet.

c. Stairs and Balconies. Outside stairways and balconies may project into the rear yard up to three feet.

2. Landscape buffer:

Single Family Residential Zone Buffer. New development shall provide a minimum fifteen-foot landscaped buffer consisting of large trees, shrubs, and a six-foot screening wall as approved by the planning commission. The screening wall shall be constructed of wood, metal, brick, masonry or other permanent materials along all property boundaries adjacent to single family residential zones.

Single Family Residential Zone Buffering Standard



A – Large (Class 3) trees 30' on center (alternate with 8' tall evergreens)
B – Low shrub buffer
C – Tall shrub zone (8' – 10' mature height)
D – Six-foot-tall screening wall as approved by commission

RM-12 Zone – Chapter 17-7-3

Add a section for new Multifamily Development to include:

1. Setbacks from single family residential zone:

Single Family Setback. The minimum setback from the property line, when adjacent to a single family residential zone, is fifteen feet, subject to the following exceptions:

a. Three-story structures must be set back thirty-seven feet. Structures can have stepped building heights to accommodate setbacks.

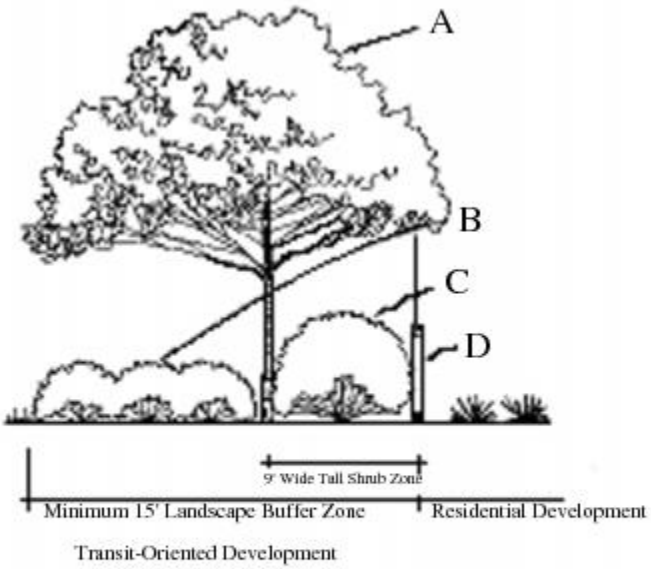
b. Projections. Sills, cornices, chimneys, flues, eaves, and ornamental features may project into the rear yard up to two and one-half feet.

c. Stairs and Balconies. Outside stairways and balconies may project into the rear yard up to three feet.

2. Landscape buffer:

Single Family Residential Zone Buffer. New development shall provide a minimum fifteen-foot landscaped buffer consisting of large trees, shrubs, and a six-foot screening wall as approved by the planning commission. The screening wall shall be constructed of wood, metal, brick, masonry or other permanent materials along all property boundaries adjacent to single family residential zones.

Single Family Residential Zone Buffering Standard



A – Large (Class 3) trees 30' on center (alternate with 8' tall evergreens)
B – Low shrub buffer
C – Tall shrub zone (8' – 10' mature height)
D – Six-foot-tall screening wall as approved by commission

ATTACHMENT B

Additions
~~Deletions~~

Definitions – Chapter 17-2

Eliminate current definitions for Mixed-use, i.e. "Commercial mixed-use", "Horizontal mixed-use" and "Vertical mixed use", and replace with a new definition for "Mixed-use".

> ~~"Commercial mixed-use" means development which incorporates a mix of uses, including retail commercial, and/or offices and residential.~~
>
> ~~"Horizontal mixed-use" means commercial and residential uses which are within close proximity to each other and designed in a "village" manner, but not necessarily within the same building structures.~~
>
> ~~"Vertical mixed-use" means commercial and residential uses which are within the same building structure.~~
>
> "Mixed-use" means development which incorporates a mix of uses to include retail/service commercial and/or office and residential. This can be commercial and residential uses which are within the same structure or are within close proximity to each other within a project area.

TOD Zone – Chapter 17-7-8

1. Amend Section 17-7-8.4, medium and high density residential development standards, as follows:

A. Setbacks. New development shall comply with the following setbacks:

4. Single Family Setback. The minimum setback from the property line, when adjacent to a single family residential zone, is fifteen feet, subject to the following exceptions:

a. Three-story structures must be set back thirty-seven feet; four-story structures must be set back sixty-six feet; ~~and~~ five-story structures must be set back eighty-three feet; six-story structures must be setback one hundred feet; and seven-story structures must be setback one hundred sixteen feet. Structures can have stepped building heights to accommodate setbacks.

b. Projections. Sills, cornices, chimneys, flues, eaves, and ornamental features may project into the rear yard up to two and one-half feet.

c. Stairs and Balconies. Outside stairways and balconies may project into the rear yard up to three feet.

5. Each unit shall have access to a common area of at least three hundred square feet in size for each unit adjacent to said space, or a private yard of at least three hundred square feet in size shall be provided at the rear of each structure.

B. Build-to Line. The front yard setback is the build-to line. At least fifty percent of the front elevation must be built within three feet of the build-to line.

C. Height. The maximum height for a residential structure is ~~five~~ seven stories. Buildings of five, six and seven stories are limited to State Street and 7200 South frontages. ~~When a residential structure is located within sixty-five feet of a single family structure, the maximum height of the structure or portion of the structure is three stories.~~

2. Amend Section 17-7-8.5; retail, office and mixed-use development standards; as follows:

B. Setbacks.

4. Single Family Setback. The minimum setback from the property line, when adjacent to a single family residential zone, is fifteen feet, subject to the following exceptions:

a. Three-story structures must be set back thirty-seven feet; four-story structures must be set back sixty-six feet; five-story structures must be set back eighty-three feet; six-story structures must be set back one hundred feet; and seven-story structures must be set back one hundred sixteen feet. Structures can have stepped building heights to accommodate setbacks.

b. Projections. Sills, cornices, chimneys, flues, eaves, and ornamental features may project into the rear yard up to two and one-half feet.

c. Stairs and Balconies. Outside stairways and balconies may project into the rear yard up to three feet.

D. Height. The maximum height for mixed-use and commercial structures is seven stories. Buildings of five, six and seven stories are limited to State Street and 7200 South frontages.

~~1. Mixed-Use. The maximum height for a mixed-use structure is seven stories. Buildings of six and seven stories are limited to State Street and 7200 South frontages. When a mixed-use structure or portion of a structure is located within sixty-five feet of a single family residential structure outside the project/development boundary, the maximum height of the structure or portion of the structure is three stories.~~

~~2. Commercial. The maximum height for a commercial structure is five stories. When a commercial structure is located within sixty-five feet of a single family structure outside the project/development boundary, the maximum height of the structure or portion of the structure is three stories.~~

~~G. Stories. All building types must be from one to seven stories.~~

SSC Zone – Chapter 17-7-7

1. Amend Section 17-7-7.4 Lot and development standards as follows:

The following development standards apply to all new development in the zone:

A. Setbacks. New development shall comply with the following setbacks:

1. Front. The minimum front yard setback is fifteen feet, which shall consist of a ten-foot wide sidewalk, a five-foot park strip, and tree wells, subject to the following exceptions:

a. Corner Lot Rule. Corner lots have two front yards, with a twenty-five foot setback.

b. Projections. Skylights, sills, cornices, chimneys, flues and ornamental features may project into the front yard up to two and one-half feet. Eaves and awnings may project into the front yard up to eight feet so long as the eaves or awnings are at least eight feet above ground.

c. The structure may be set back an additional fifteen feet to allow for the inclusion of an outdoor dining area or courtyard.

2. Rear. The rear yard setback is twenty feet, subject to the following exceptions:

a. Projections. Skylights, sills, cornices, chimneys, flues, eaves, and ornamental features may project into the rear yard up to two and one-half feet.

b. Stairs and Balconies. Outside stairways and balconies, may project into the rear yard up to three feet.

c. Corner Lot Rule. On corner lots, there is no rear yard.

3. Single Family Setback. The minimum setback from the property line, when adjacent to a single family residential zone, is fifteen feet, subject to the following exceptions:

a. Three-story structures must be set back thirty-seven feet; four-story structures must be set back sixty-six feet; five-story structures must be set back eighty-three feet; six-story structures must be set back one hundred feet; and seven-story structures must be set back one hundred sixteen feet. Structures can have stepped building heights to accommodate setbacks.

b. Projections. Sills, cornices, chimneys, flues, eaves, and ornamental features may project into the rear yard up to two and one-half feet.

c. Stairs and Balconies. Outside stairways and balconies may project into the rear yard up to three feet.

B. Build-To Line. The front yard setback is the build-to line. At least fifty percent of the front facade must be built within three feet of the build-to line on all interior lots and at least thirty percent of the front facade must be built within three feet of the build-to line on all corner lots. Recessed plazas, courtyards and trellises are encouraged.

C. Height. The maximum height for mixed-use and commercial structures is seven stories. Buildings of five, six and seven stories are limited to State Street and 7200 South frontages.

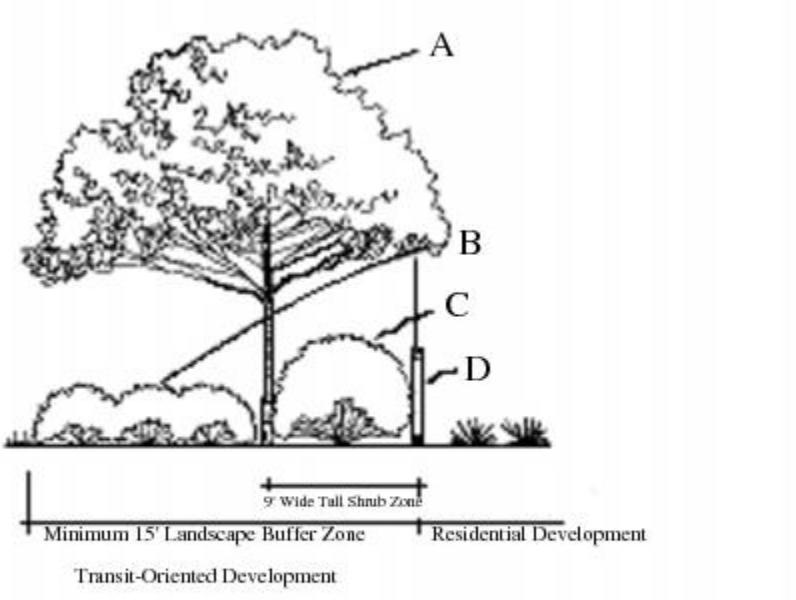
~~1. Mixed-Use. The maximum height for a mixed-use structure is fifty-five feet for a sloped roof or fifty-two feet for a flat roof, and may extend up to seventy-five feet for a sloped roof or seventy-two feet for a flat roof for portions of the structure more than fifty feet from a single family residential zoning district.~~

~~2. Commercial. The maximum height for a commercial structure is thirty-five feet for a sloped roof or thirty-two feet for a flat roof, and may extend up to fifty-five feet for a sloped roof or fifty-two feet for a flat roof for portions of the structure more than fifty feet from a single family residential zoning district.~~

2. Add following language to Section 17-7-7.7, Required landscaping:

Single Family Residential Zone Buffer. New development shall provide a minimum fifteen-foot landscaped buffer consisting of large trees, shrubs, and a six-foot screening wall as approved by the planning commission. The screening wall shall be constructed of wood, metal, brick, masonry or other permanent materials along all property boundaries adjacent to single family residential zones.

Single Family Residential Zone Buffering Standard



A – Large (Class 3) trees 30' on center (alternate with 8' tall evergreens)
B – Low shrub buffer
C – Tall shrub zone (8' – 10' mature height)
D – Six-foot-tall screening wall as approved by commission

RM-25 Zone – Chapter 17-7-4

Add a section for new Multifamily Development to include:

1. Setbacks from single family residential zone:

Single Family Setback. The minimum setback from the property line, when adjacent to a single family residential zone, is fifteen feet, subject to the following exceptions:

a. Three-story structures must be set back thirty-seven feet; four-story structures must be set back sixty-six feet. Structures can have stepped building heights to accommodate setbacks.

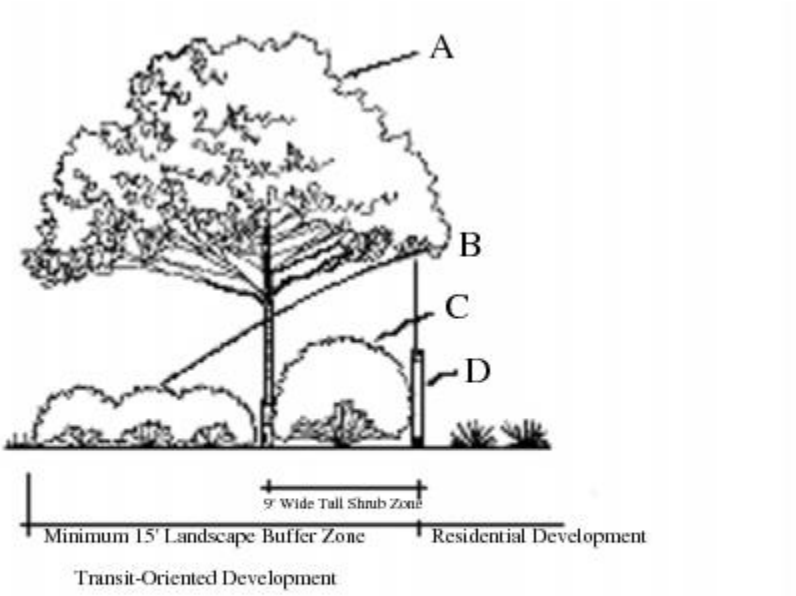
b. Projections. Sills, cornices, chimneys, flues, eaves, and ornamental features may project into the rear yard up to two and one-half feet.

c. Stairs and Balconies. Outside stairways and balconies may project into the rear yard up to three feet.

2. Landscape buffer:

Single Family Residential Zone Buffer. New development shall provide a minimum fifteen-foot landscaped buffer consisting of large trees, shrubs, and a six-foot screening wall as approved by the planning commission. The screening wall shall be constructed of wood, metal, brick, masonry or other permanent materials along all property boundaries adjacent to single family residential zones.

Single Family Residential Zone Buffering Standard



A – Large (Class 3) trees 30' on center (alternate with 8' tall evergreens)
B – Low shrub buffer
C – Tall shrub zone (8' – 10' mature height)
D – Six-foot-tall screening wall as approved by commission

RM-12 Zone – Chapter 17-7-3

Add a section for new Multifamily Development to include:

1. Setbacks from single family residential zone:

Single Family Setback. The minimum setback from the property line, when adjacent to a single family residential zone, is fifteen feet, subject to the following exceptions:

a. Three-story structures must be set back thirty-seven feet. Structures can have stepped building heights to accommodate setbacks.

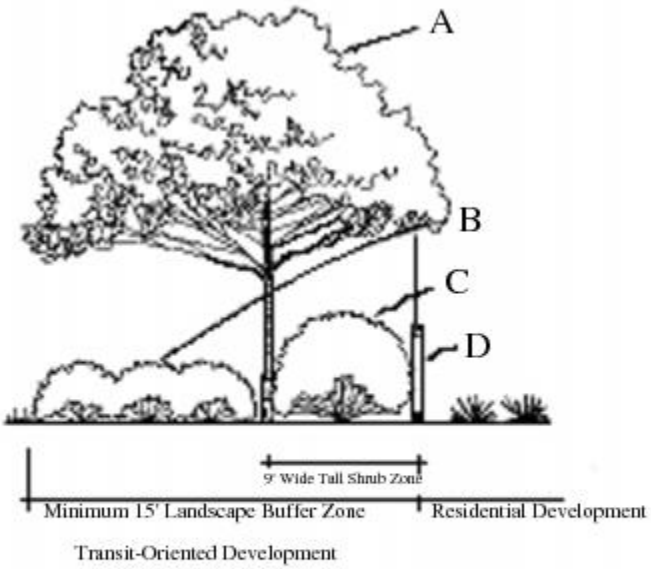
b. Projections. Sills, cornices, chimneys, flues, eaves, and ornamental features may project into the rear yard up to two and one-half feet.

c. Stairs and Balconies. Outside stairways and balconies may project into the rear yard up to three feet.

2. Landscape buffer:

Single Family Residential Zone Buffer. New development shall provide a minimum fifteen-foot landscaped buffer consisting of large trees, shrubs, and a six-foot screening wall as approved by the planning commission. The screening wall shall be constructed of wood, metal, brick, masonry or other permanent materials along all property boundaries adjacent to single family residential zones.

Single Family Residential Zone Buffering Standard



A – Large (Class 3) trees 30' on center (alternate with 8' tall evergreens)
B – Low shrub buffer
C – Tall shrub zone (8' – 10' mature height)
D – Six-foot-tall screening wall as approved by commission

MIDVALE CITY
CITY COUNCIL BUDGET RETREAT
Minutes

Wednesday, March 16, 2016
Utah Local Governments Trust
55 South Highway 89
North Salt Lake, Utah 84054

MAYOR: JoAnn Seghini

COUNCIL MEMBERS: Council Member Wayne Sharp
Council Member Stephen Brown
Council Member Paul Glover
Council Member Paul Hunt
Council Member Quinn Sperry

STAFF: Phillip Hill, Asst. City Manager/CD Director; Laurie Harvey, Asst. City Manager/Admin. Services Director; Rori Andreason, H.R. Director/City Recorder; Lisa Garner, City Attorney; Bob Davis Public Works Director; Danny Walz, Redevelopment Agency Director; Christopher Butte; Economic Development Director; Dalin Hackett, Asst. Finance Director/City Treasurer; David Starkey, Senior Accountant; Michelle Henderson, Court Administrator; Jessica Hoyne, Employees Association President; Jesse Valenzuela, Emergency Manager; Matt Pierce, Systems Administrator; and Jarin Blackham, IT Manager.

Mayor Seghini welcomed everyone at 8:30 a.m.

I. DISCUSSION ITEMS

A. FISCAL YEAR 2017 BUDGET

Staff reviewed the budget process, key issues for the 2017 budget as well as UTOPIA. Each department reviewed specifics regarding budget needs and desires for the upcoming budget. An economic development report was presented as well as a Redevelopment Agency report. Staff reviewed employee compensation and elected official compensation. The Council discussed paying the Mayor as full-time instead of part-time.

The General Fund forecast and financial sustainability was discussed at length. Capital projects and operating budgets were also discussed at length. The Council reviewed each of the requests and ranked them according to priority and need. Staff will utilize those recommendations to prepare a recommended City Management budget for Fiscal Year 2017.

II. ADJOURN

The meeting adjourned at 4:30 p.m.

_____

Rori L. Andreason, MMC
CITY RECORDER

Approved this 19th day of April, 2016

PENDING

Midvale City
CITY COUNCIL MEETING
Minutes

Tuesday, April 5, 2016
Council Chambers
7505 South Holden Street
Midvale, Utah 84047

MAYOR: Mayor JoAnn B. Seghini

COUNCIL MEMBERS: Council Member Stephen Brown
Council Member Paul Glover
Council Member Paul Hunt
Council Member Quinn Sperry
Council Member Wayne Sharp

STAFF: Phillip Hill, Assistant City Manager/Community Development Director; Laurie Harvey, Assistant City Manager/Admin. Services Director; Rori Andreason, H.R. Director/City Recorder; Lisa Garner, City Attorney; Bob Davis, Public Works Director; Chief Tony Mason, UPD Midvale Precinct; Chief Scott McBride, UFA; Danny Walz, RDA Director; Lesley Burns, City Planner; Keith Ludwig, City Engineer; and Mike Welling, IT Tech.

Mayor JoAnn Seghini called the meeting to order at 6:32 p.m.

I. INFORMATIONAL ITEMS

A. DEPARTMENT REPORTS

Chief Mason said Officer Chavez has been brought on to be the dedicated officer at the homeless shelter. He said he would introduce Officer Chavez to the Council at the next meeting. He also reported that Sergeant Ken Malone has moved to the Metro Gang Force so Sergeant Ed Toohill will be his replacement.

Chief Scott McBride had nothing to report.

Laurie Harvey had nothing to report.

Danny Walz discussed the successful completion of the first public art project. He said they have received 11 proposals for this year's public art project.

Bob Davis said the spring cleanup has begun. It is a good program. He said someone may be coming in regarding Station Place Condominiums and the flooding problem. He has looked at the problem and has a couple of options that could remedy the situation. He said meetings are being held regarding capital projects. Curb, gutter, and sidewalk replacement has started in the Enchanted Village area. He discussed possible charges for mattresses in the landfill as well as pizza boxes with pizza on them.

Rori Andreason reviewed amendments to the minutes for March 15, 2016, job openings, and distributed the Council identification cards.

PENDING

Phillip Hill reviewed City projects including the 7200 South corridor and the CDBG project on South Allen Street.

Councilmember Sharp asked about the settling ponds or detention basin ponds that were placed in the front yards rather than the back yards on Wasatch Street.

Keith Ludwig said the City did not dictate where the developer put the detention ponds. The developers placed the detention ponds where they felt the fit best with their plan and open space.

II. CITY MANAGER'S REPORT

Kane Loader was excused.

III. GENERAL BUSINESS

A. Welcome and Pledge of Allegiance

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

C. Proclamation for Child Abuse Prevention Month

The proclamation for child abuse prevention month was read, signed and presented to the Family Support Center.

Mayor Seghini left the meeting at 7:12 p.m.

D. United Way Presentation – postponed to a later date.

IV. PUBLIC COMMENTS

Sophia Hawes-Tingey presented a petition for the 7600 South Grant Street neighborhood regarding interest in getting Utopia installed in that area. She said there is a lot of interest in getting Utopia fiber to this area.

Val Anderson requested they be kept in the loop as far as the design and resolution to the Station Place Condominium flooding area. He thanked Bob Davis with Public Works for his help with this issue.

V. COUNCIL REPORTS

A. Councilmember Stephen Brown – discussed a petition from Candlelight Homes and the walkway to Canyon Crossing. The walkway is not well lit and there are kids that are throwing snowballs at windows, etc. It's incredibly dark at night. He would like to look at potential solutions for the area i.e. lighting, and options for the trail.

B. Councilmember Paul Glover – had nothing to report.

C Councilmember Paul Hunt – had nothing to report.

D. Councilmember Quinn Sperry – had nothing to report.

PENDING

E. Councilmember Wayne Sharp – the City use to have a SWAT team with a nice big truck. UPD now uses it for their mobile crime lab. He said in the Midvale City Code, Section 17-7-1.8 regarding parking on the lawn ordinance is not clear enough. He said he does not want people parking on their front lawn but it doesn't say that specifically. Phillip Hill said he would review it and bring it back for further discussion.

VI. MAYOR REPORT

Mayor JoAnn B. Seghini – excused

VII. CONSENT AGENDA

A. APPROVE MINUTES OF MARCH 15, 2016

B. SET DATE AND TIME (APRIL 19, 2016 AT 7:00 P.M.) FOR A PUBLIC HEARING TO CONSIDER A TEXT AMENDMENT TO MODIFY BUILDING HEIGHTS AND SETBACKS IN THE RM-12, RM-25, STATE STREET COMMERCIAL TOD ZONES

MOTION: Councilmember Wayne Sharp MOVED to approve the consent agenda. The motion was SECONDED by Councilmember Paul Hunt. Mayor Pro-tem Brown called for discussion on the motion. There being none the he called for a roll call vote. The voting was as follows:

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

The motion passed unanimously.

VIII. ACTION ITEMS

A. APPROVE RESOLUTION NO. 2016-R-10 ADOPTING THE ICMA-RC 401 MONEY PURCHASE PLAN DOCUMENT RESTATEMENT

Rori Andreason stated the IRS has a six year review schedule for the type of 401 plan documents ICMA-RC make available to its clients. Following the IRS schedule, ICMA-RC submitted their updated plan documents for review and approval in 2012 and received favorable opinion letters last year. The documents incorporate amendments for legislative and regulatory changes enacted since the prior restatement in 2006.

In the past, ICMA-RC has utilized a negative election adoption process in an effort to make the plan document adoption process as easy as possible. This time around, per instructions from the IRS, each plan sponsor using the ICMARC plan document is required to execute a new adoption agreement. There was some discussion in regards to a Stand Alone Final Plan that would allow employees to contribute accrued vacation time the year they were separating from the City. With further discussions with ICMA-RC, this Stand Alone Final Plan will need to be a separate document. Once the details have been determined, it will be presented to the City Council for consideration.

MOTION: Councilmember Paul Hunt MOVED to approve Resolution No. 2016-R-10 authorizing the Mayor to execute the ICMA Retirement Corporation Governmental Money Purchase Plan & Trust Adoption Agreement as

PENDING

presented. The motion was SECONDED by Councilmember Quinn Sperry. Mayor Pro-tem Brown called for discussion on the motion. There being none the he called for a roll call vote. The voting was as follows:

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

The motion passed unanimously.

B. APPROVE RESOLUTION NO. 2016-R-11 ADOPTING THE ICMA-RC VANTAGE TRUST II MULTIPLE COLLECTIVE INVESTMENT FUNDS TRUST PARTICIPATION AGREEMENT

Rori Andreason said for the past several years Midvale City has participated in the ICMA-RC VantageCare Retirement Health Savings Plan. There is a new series of Collective Investment Trust ("CIT") funds, the VantageTrust II Funds ("VT II Funds"), available for the VantageCare Retirement Health Savings Plan. The VT II Funds will offer significant savings to the RHS plan and participants.

Investment through VTII offers the following benefits:

- Access to lower-cost investment options
- Alignment of RHS plan and 401/457 plan fee structures
- Governance focused on the public sector

Staff recommends adoption of the Resolution authorizing the Mayor to enter into the VantageTrust II Multiple Collective Investment Trust Funds Participation Agreement as presented.

MOTION: Councilmember Quinn Sperry MOVED to approve Resolution No. 2016-R-11 Authorizing the Mayor to execute the ICMA-RC VantageTrust II Multiple Collective Investment Trust Funds Participation Agreement. The motion was SECONDED by Councilmember Paul Hunt. Mayor Pro-tem Brown called for discussion on the motion. There being none he called for a roll call vote. The voting was as follows:

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

The motion passed unanimously.

C. APPROVE RESOLUTION NO. 2016-R-12 AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH MILLER PAVING FOR THE CONSTRUCTION OF LENNOX STREET

Keith Ludwig said the City has received CDBG funds for the Lennox Street project. The plans and specifications were finalized and this project was put out for bid. A bid opening was held on March 17, 2016. After evaluating the bids, staff determined that Miller Paving had the lowest responsible bid. An award letter was sent to Miller Paving and an agreement has been prepared

PENDING

for this project. A preconstruction meeting will be held with Miller Paving as soon as possible so that they can get this project underway.

As your next regular Council Meeting is two weeks out, he requested suspension of the rules so action can be taken on this item.

FISCAL IMPACT:
The funding for this project consists of $164,773 of CDBG funds and $45,000 from City B&C road funds for a total of $209,773. Out of that amount, $189,973 is available for construction. Miller Paving's bid is $177,158.

MOTION: Councilmember Paul Glover MOVED to suspend the rules and approve Resolution No. 2016-R-12 approving the agreement with Miller Paving Inc. for the construction of the Lennox Street Project and authorize the Mayor to sign the agreement. The motion was SECONDED by Councilmember Wayne Sharp. Mayor Pro-tem Brown called for discussion on the motion. There being none he called for a roll call vote. The voting was as follows:

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

The motion passed unanimously.

D. APPROVE RESOLUTION NO. 2016-R-13 AUTHORIZING THE MAYOR TO SIGN A PROFESSIONAL SERVICES AGREEMENT WITH HANSEN, ALLEN, & LUCE, INC FOR THE DESIGN AND CONSTRUCTION MANAGEMENT SERVICES FOR THE 2016 PIPELINE REPLACEMENT PROJECT

Keith Ludwig said over the last several years many projects have been completed relating to the City's water system. These projects were funded by bonds and more recently by budgeting $500,000 yearly out of the Public Utilities Enterprise Fund for capital improvements.

Staff would like to continue these improvements to the water system. In discussion with the City's Water Consultant, Hansen, Allen, and Luce, several projects have been identified. These projects are outlined below:

1. An 8-inch diameter pipeline in Roosevelt Street, from Wasatch Street to Princeton Street.
2. An 8-inch diameter pipeline in Grant Street, from 7500 South to Center Street.
3. An 8-inch diameter pipeline in Adams Street, from Wasatch Street to Princeton Street.
4. An 8-inch diameter pipeline in Baker Drive, from 770 East to 900 East -Project
5. An 8-ionch diameter pipeline in Tera Circle.
6. An 8-inch diameter pipeline in 840 East, from Baker Drive to Newbold Circle.
7. An 8-inch diameter pipeline in 770 East, south of Baker Drive.

Design work will begin on these projects this summer with bidding and construction slated for spring and summer of 2017. Funding for these projects will be identified in from Fiscal Year 16, Fiscal Year 17, & Fiscal Year 18 budgets.

PENDING

The proposed contract with Hansen, Allen, & Luce for design and construction management services for these projects totals $155,800.

FISCAL IMPACT:

This fee will be taken out of the budgeted amount for capital improvements in the water fund.

MOTION: Councilmember Paul Glover MOVED to suspend the rules and approve Resolution No. 2016-R-13 authorizing the Mayor to sign a professional services agreement with Hansen, Allen, & Luce, Inc. for the design and construction management services for the 2016 Pipeline Replacement Project. The motion was SECONDED by Councilmember Quinn Sperry. Mayor Pro-Tem Brown called for discussion on the motion. There being none he called for a roll call vote. The voting was as follows:

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

The motion passed unanimously.

IX. DISCUSSION ITEMS

A. DISCUSS A TEXT AMENDMENT TO MODIFY BUILDING HEIGHTS AND SETBACKS IN THE RM-12, RM-25, STATE STREET COMMERCIAL TOD ZONES

Lesley Burns stated that there have been discussions with both the City Council and Planning Commission in the past few months to address recent community concerns regarding building heights and setbacks in areas immediately adjacent to single family residential zones. Of particular concern is the potential for five story buildings to be developed near single family residential neighborhoods. After reviewing the development standards in the RM-12, RM-25, State Street Commercial (SSC) and Transit Oriented Development (TOD) zones, which are directly adjacent to single family residential zones, it was found that each of the zones has different buffering and height requirements for new multi-family and commercial buildings.

Looking to balance the need to provide appropriate areas for growth and new development to occur while protecting adjacent, stable residential neighborhoods from the impacts of more intense development, Staff proposed the following concepts be implemented into the zoning ordinance text in the RM-12, RM-25, SSC and TOD zones regarding building heights and setbacks.

- Utilizing the concept currently included in the TOD zone that larger setbacks from single family residential zones are required as building heights increase, make the setbacks for various buildings heights the same in all four zones.
- Include the 15 foot residential landscape buffer requirement (to include 6 foot masonry wall, large trees and shrubs) currently in the TOD zone, in the other three zones.
- Unless projects have frontage on State Street or 7200 South, limit building heights to 4 stories with a 66 foot setback from single family residential zones.

PENDING

- Projects with frontage on State Street or 7200 South would still have the ability to go up to 6 and 7 stories if the building is a mixed-use structure and up to 5 stories if the building is commercial (graduated setbacks from adjacent single family residential zones still required).
- Modifying the current definitions for "mixed-use" to avoid confusion.

This was presented to the Planning Commission at a public hearing held on March 9, 2016. After receiving public input, the Planning Commission had a lengthy discussion and requested some information on what other cities in the area are doing. The Planning Commission also formulated a number of questions to consider at its next meeting. These included, but were not limited to, the following. These questions are key components of the City's General Plan Update, currently underway, which is intended to guide the City in its land development decisions to ensure these decisions are working towards achieving the overall goals of the City.

- How does the proposed text amendment fit within the current General Plan Update process?
- Are the concerns we are trying to address with the proposed text amendment community-wide concerns or the reaction to an isolated issue?
- What implications does the proposed text amendment have on future growth and opportunities to provide sustainable services to the City's residents?
- Is the "one size fits all" approach the best solution or do we need to consider different development requirements in different areas?

Planning Commission Recommendation
After another lengthy discussion on March 23, 2016, the Planning Commission forwarded the following recommendation to the City Council:

> *"I move that we forward a recommendation to the City Council to make no changes to the ordinance with regard to building heights and setbacks in the RM-12. RM-25, SSC and TOD zones until a more comprehensive review of all of the issues can be done that is based on the considerations and goals of the General Plan Update. It is our hope that these changes can be made immediately upon the approval of the General Plan update. The Commission further expresses to the City Council the sense of the Commission that the City needs to promote higher density commercial and residential projects in the TOD and SSC zones. It is the hope of the Commission that this will be reflected in the updates to the General Plan."*

The Council and staff discussed this issue at length.

Councilmember Paul Glover said something needs to be done; doing nothing is not an option.

Councilmember Stephen Brown expressed how difficult this discussion was for the Planning Commission Members and that they did a great job. He did agree that something has to be done.

Councilmember Quinn Sperry said he liked the idea of looking at neighborhood zoning.

X. <u>ADJOURN</u>

PENDING

MOTION: Councilmember Wayne Sharp MOVED to adjourn the meeting. Councilmember Paul Hunt SECONDED the motion. Mayor Pro-tem Brown called for discussion on the motion. There being none, he called for a vote. The motion passed unanimously.

The meeting adjourned at 8:19 p.m.

_____

Rori L. Andreason, MMC
CITY RECORDER

Approved this 19th day of April, 2016.

PENDING

MIDVALE CITY
CITY COUNCILWORKSHOP MEETING
Minutes

Tuesday, April 12, 2016
Council Chambers
7505 S. Holden Street
Midvale, Utah 84047

MAYOR: JoAnn Seghini

COUNCIL MEMBERS: Council Member Wayne Sharp
Council Member Stephen Brown
Council Member Paul Glover
Council Member Paul Hunt
Council Member Quinn Sperry

STAFF: Kane Loader, City Manager; Laurie Harvey, Asst. City Manager/Admin. Services Director; Phillip Hill, Asst. City Manager/CD Director; Rori Andreason, H.R. Director/City Recorder; Lisa Garner, City Attorney; Bob Davis Public Works Director; Danny Walz, Redevelopment Agency Director; Annaliese Eichelberger, RDA Project Manager; Lesley Burns, City Planner; Matt Hilderman, Associate Planner; Christopher Butte; Economic Development Director; and Jarin Blackham, IT Manager.

Mayor Seghini called the meeting to order at 6:36 p.m.

I. DISCUSSION ITEMS

A. HEAD START PRESENTATION

Mayor Seghini introduced Erin Trenbeath-Murray, Executive Director of Head Start Community Action, and explained the importance of the Head Start program. She said they are in need of a new space to reside in. They do still have classrooms at Copperview Recreation Center.

Erin Trenbeath-Murray said it is important to them to be in this community. She said they are currently serving 68 children. They have been in and out of the Boys and Girls Club but have been informed that they will need to vacate the Boys and Girls Club in May. Kearns and Midvale are the two cities they are looking at for a new location. She said the ideal space would be in the main city park. She said they are interested in leasing the old senior center or purchasing the facility. They teach adult education and self-efficiency. She said they are trying to break the cycle and help families become self-efficient.

Kane Loader said discussions have taken place regarding adding onto the building. With the space for the Museum, he did not feel there was room for both uses as well as remaining a community center.
Councilmember Sharp said he definitely does not want it turning into a homeless shelter. He wants it in very clear writing that the program will not be anything more than what is being proposed.

Mayor Seghini said the Head Start program is a specific program similar to kindergarten.

PENDING

Ms. Murray said the hours would usually be 9am to 4pm. She said if the program is not located in Midvale the kids will enter kindergarten without any opportunity to be prepared for the experience, which would be very trying for the kindergarten teachers. She said she is looking for a place that has approximately 13,000 sq. ft. She said they are required to have a fenced playground, which they would pay for and then would be willing to open it up to the public when they were not using it. In South Salt Lake they built a community room that can be used by the city during the evenings.

Kane Loader asked the Council if they would like staff to explore some options. The Council agreed to explore further options.

B. UTOPIA UPDATE

Kane Loader introduced Kirk Sudweeks, Utopia Chief Financial Officer; and Roger Timmerman, Utopia Executive Director. He asked Roger Timmerman to update the Council on where Utopia is and where they are headed. He said after looking at everything they wanted to be at an operational breakeven point by the end of their five year plan. So far, they have exceeded that expectation.

Roger Timmerman discussed the history of Utopia as well as the five year goals and plans. They broke even last October, which means the revenues were higher than the expenses. He discussed the funds available for future growth. He said they will continue to follow the original five year plan strategies. They also want to use an advocacy program, and will focus on businesses and "green" addresses. They continually look for open trench opportunities when developments are being approved so the costs are lower because the installation is completed during construction of the development. The technology update includes upgrades to the network with 250 Mbps and 1 Gbps to residential services. Business/Carrier Services are up to 100 Gbps and Dark Fiber. Utopia meets all the needs of large telecommunication companies. He said there have been 1600 new customers added in 2015. There weren't many new areas launched in Midvale in 2015 so the numbers in Midvale were a little smaller with only 72 new customers.

Kane Loader said one of Midvale's business customers is equal to 100 residential customers.

Mr. Timmerman explained their 2016 Marketing Focus. This included targeting available residential addresses for new installations (new and existing footprints) and disconnects. They do not send marketing information to existing customers or places where the service is not available. They also have the Utopia campaign underway in all cities with city specific mailers, digital ads and social media. They also continue to focus on businesses. They are doing promotions, events, and utilizing Utopia advocates. They are also using more city involvement when residents are signing up for utilities to inform them about Utopia and where they can learn more about them.

Kane Loader said what this proves is that this can be built. They are not able to build it out as fast as they would like to but it is being built. He feels this is very doable and the residents will buy it and it will save them money. The Board would like to see this project built and finished within three years; however the way they are going now it will take 7-10 years.

Councilmember Quinn Sperry arrived at 7:41 p.m.

PENDING

Councilmember Paul Glover said he understood Utopia is accepting petitions from neighborhoods that want Utopia installed. He asked what they consider a neighborhood to be. He said they need to come back to Midvale and say what areas they can get fiber into. Then the City can get advocates in those areas to improve take rates.

The Council discussed this issue at length.

C. INTRODUCTION OF HINES DEVELOPMENT AND PROPOSAL FOR AN OVERLAY ZONE TO ALLOW RESIDENTIAL IN THE RC ZONE (FORT UNION AREA)

Phillip Hill introduced representatives from Hines Development who will be discussing a proposal for an overlay zone to allow residential in the RC Zone in the Fort Union Area.

Dusty Harris introduced the Hines Development company and the developments they have completed. He discussed the summary of Hines' residential development experience.

RESIDENTIAL EXPERIENCE SINCE 1963

- Masterplanned Single Family 16,597 units
- Masterplanned Apartments, Townhomes, Condos, Vacation Homes 5,673 units

Total Masterplanned 22,270 units

- US: Developed Apartments, Townhomes, Condos, Vacation Homes 5.7 M SF | 4,220 units
- International Developed Apartments, Townhomes, Condos 14.4 M SF | 9,938 units

Total Developed 20.1M SF | **14,158 units**
Residential Projects in Design or Under Development 13.3 M SF | **12,731 units**

TOTAL DEVELOPED, MASTERPLANNED, IN DESIGN AND UNDER DEVELOPMENT 33.1M SF |49,159 units

Site Plan – Hines Development Proposal

Existing Office RSF 96,000
Residential Unit Count 192
Residential GSF 213,000
Avg. Unit RSF 835
Total Acreage 5.5
Residential Acreage 2.4
Residential Density (FAR) 2.0
• **New residents will help support nearby retailers.**

Traffic Flows

• At peak times, office and residential traffic patterns are opposite.
• A recent study found that current traffic utilization on Union Park Ave was 55-60%, indicating ample capacity (A-Trans, 2012).

PENDING

Parking

• Hines is committed to providing sufficient parking and minimizing parking structure height.
• We believe a parking reduction is merited due to opposite peak parking requirements.
• Implementing shared parking per SL Code would potentially allow for a 25% reduction in parking

Phillip Hill stated this is not something that is currently allowed in this zone. He would suggest an overlay zone if the Council is willing to look at this development. That allows each development to be reviewed rather than changing the entire RC zone.

The Council liked the idea and told the developers to move forward as soon as possible.

D. DISCUSS ARTS COUNCIL INTERLOCAL AGREEMENT WITH SALT LAKE COUNTY

Suzanne Walker distributed the year-end report from the Arts Council and brochure of upcoming events. She also distributed the 2016 Levitt AMP Artist Roster and the concerts planned for the summer. She discussed the architectural drawings for the amphitheater in the main park. She said they did receive the grant from Salt Lake County for $60,000, which will pay for half of the architectural drawings. The City committed $30,000 and the Arts Council committed $30,000. The City funding will be out of next year's budget. They have received the contract from the County to move forward with the agreement.

Kane Loader said he felt the County would be willing to fund this remodel. They wouldn't allow it to move to this next level unless they were going to finish the project.

Mrs. Walker asked if they could utilize the old senior center for the band for the Harvest Days concert for Taylor Hicks. Kane Loader said he would consider the request.

Mrs. Walker also discussed the creation of murals on the bowery doors. Councilmember Sharp said it could be positive but who will decide what goes on there? If somebody doesn't like it, how will they deal with that? And who will maintain it?

Kane Loader asked the Arts Council to put together a list of guidelines for the Council to review for the mural program.

E. DISCUSS ALLOWABLE FENCE HEIGHTS WITHIN THE CITY

Matt Hilderman said the City Council has made a request to review our existing fence ordinance for Single-Family Residential Zones, concerning the height limitations and have proposed increasing the overall height for fencing, excluding height limitations within the front yard setback and clear view triangle. There have been initial discussions to increase the height from the existing six-foot (6') maximum limitation to an eight-foot (8') maximum limitation or higher. The Municipal Code development standards for fences, hedges, and walls states the following:

"No fence or wall may exceed six feet in height, four feet in height in the front yard setback, nor three feet in the clear view triangle."

PENDING

This same language is also identified within the multifamily zones, some sections within higher-intensity zone districts, and in some higher-intensity zones an Administrative or Conditional Use Permit is required for fencing higher than six-feet (6').

Discussion with the Building Official determined there is language within the current and adopted 2012 IBC and IRC development codes that states fences not exceeding seven-feet (7') in height does not require a building permit for the construction of this feature. The Building Official also stated the City is preparing to adopt the 2015 IBC and IRC codes in July, 2016, where upon this language is continued, as identified above.

Further research of thirteen (13) municipalities within the Salt Lake Valley determined that ten (10) municipalities have provisions to allow fencing to increase to a maximum of eight-feet (8') within residential zone districts.

The Council instructed staff to include multi-family and move forward with the amendments.

F. DISCUSS AGREEMENT WITH NEW SENIOR CENTER REGARDING USE

Kane Loader discussed the an agreement with Salt Lake County regarding the City paying for an individual to open and close the senior center when the building is rented on Tuesday and Thursday evenings. This would cost the City a maximum of $3600 for six months and will only be charged by the County for the time the building is in use. The County apparently has a pool of part-time people that would be willing to work these shifts.

Midvale Extended Hours Business Plan:

Midvale Senior Center Goal

To create evening programing that will draw Active Working Adults & Community groups to better utilize the building. It will enhance the Salt Lake County Community quality of life through opportunities for working adults. It will expand their knowledge and access to resources, services, and amenities that Salt Lake County Aging and Adult Services makes available to the community.

Midvale Plan:

- Extend hours on Tuesday & Thursday's to 7:00 a.m. - 8:00 p.m.
- Pilot program of 6 months to begin January 5th, 2016.
- Plan for determining & developing evening programs:
    1. Put out interest sheets for desired classes at Center Front Desk to gather interested members.
    2. Collaborate with Centers already offering evening programming to see which are working best.
    3. Form a relationship with Midvale City, for community oriented programs they are interested in having.
    4. Collaborate with Community groups that are looking for venues for existing or new community programs, (Literacy, Neighborhood Watch, Support Groups, Schools) etc.

PENDING

Marketing Plan:

1. Midvale Senior Center (Newsletter, Program table, County Senior Web Calendar, Midvale City Journal, Simply Seniors) etc.
2. Community Venues (Libraries, Midvale City Hall, Canyons School District, Grocery stores, Boys & Girls Club, Local Midvale businesses).

- One staff member will be present and flexible schedules will be incorporated.
- A temporary staff member will be hired.
- Volunteers, Community Partners, and Special Instructors will provide programming.
- No Transportation will be provided unless Midvale City will undertake the expense.
- Donations from local groups and businesses for a light evening snack will be pursued. Advisory Council may become involved in this piece. No funds will come from the Congregate meal program.
- Midvale Center staff will work with Midvale City employees for evening programming.

Expected Outcome:

- Working Adults will receive services that cannot be accessed by them during the day.
- Increase of new membership, Recreational Units and programs for Midvale Senior Center.
- Creates vital services and good resources that are relevant for working seniors.
- Increase of intergenerational projects.

Measurement:

Midvale Senior Center will measure success by realizing a 20% increase of Membership (34) with Participants between the ages of 60-75 years of age. Our goal is to increase attendance by 34 due to opening evenings.

The Council agreed to move forward with a 6 month trial to see if this is something they would like to implement with the Senior Center.

III. ADJOURN

Mayor Seghini adjourned the meeting at approximately 9:05 p.m.

_____

Rori L. Andreason, MMC
CITY RECORDER

Approved this 19th day of April, 2016

PENDING

MIDVALE CITY COUNCIL SUMMARY REPORT

Meeting Date: April 19, 2016

ITEM: **Action approving Resolution No. 2016-R-14 a resolution approving the First Amendment to the Interlocal Cooperation Agreement between Salt Lake County and Midvale City for the Construction and Operation of a Senior Center**

SUBMITTED BY: **Kane Loader, City Manager**

SUMMARY:
In April of 2016 Midvale City and Salt Lake County entered into an interlocal agreement to construct and operate a new Senior Center. Since the new center has been completed and in operation the City and County have had discussions regarding the afterhours use of the facility by the community.

We have worked out the details and terms of how the facility can be used and all that is needed is to amend the existing interlocal agreement. I have included the amendment and the term sheet that was developed for the amendment. The City Attorney has reviewed and signed off on the amendment.

Fiscal Impact:
Six month trial period will not exceed $3,100

STAFF'S RECOMMENDATION AND MOTION:

I move that we adopt Resolution No. 2016-R-14 a resolution approving the First Amendment to the Interlocal Cooperation Agreement between Salt Lake County and Midvale City for the Construction and Operation of a Senior Center and authorize the Mayor to sign the amendment in behalf of the City.

MIDVALE CITY, UTAH

RESOLUTION NO. 2016-R-14

A RESOLUTION OF THE CITY COUNCIL OF MIDVALE CITY, UTAH, ADOPTING THE FIRST AMENDMENT TO THE INTERLOCAL COOPERATION AGREEMENT BETWEEN SALT LAKE COUNTY AND MIDVALE CITY FOR THE CONSTRUCTION AND OPERATION OF A SENIOR CENTER

WHEREAS, Midvale City and Salt Lake County entered into and interlocal agreement to construct and operate a new Senior Center in April of 2016; and

WHEREAS, the new Senior Center has been constructed and has been in operation for several months; and

WHEREAS, both the City and County would like to fully utilize the facility by increasing the hours of use by the community; and

WHEREAS, the Parties have agreed to work together to extend the hours of operation by amending the original interlocal cooperation agreement.

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

SECTION 1. That the Midvale City Council has determined that it would be in the best interests of the City and its residents to adopt the First Amendment to the Interlocal Cooperation Agreement between Salt Lake County and Midvale City for the Construction and Operation of a Senior Center.

SECTION 2. This Resolution shall become effective upon passage.

APPROVED BY THE CITY COUNCIL OF THE MIDVALE CITY, UTAH, ON THIS 19th DAY OF APRIL, 2016.

_____
JoAnn B. Seghini, Mayor

Vote by the City Council:	**Aye**	**Nay**
Stephen Brown	____	____
Paul Glover	____	____
Paul Hunt	____	____
Quinn Sperry	____	____
Wayne Sharp	____	____

Attest:

_____
Rori L. Andreason, MMC
City Recorder

Approved as to form:

_____
Lisa Garner, City Attorney

County Contract No. 0000000718
D.A. No. 2016-05372

FIRST AMENDMENT
TO
INTERLOCAL COOPERATION AGREEMENT
between
SALT LAKE COUNTY
and
MIDVALE CITY
for
FOR THE CONSTRUCTION AND OPERATION OF A SENIOR CENTER

***

This First Amendment to the Interlocal Cooperation Agreement (this "Amendment") is made this ____ day of _____, 2016 by and between SALT LAKE COUNTY, a body corporate and politic of the State of Utah on behalf of its Aging and Adult Services Division (the "County"), and MIDVALE CITY, a municipal corporation organized under the laws of the State of Utah (the "City"). County and City may be referred to jointly as "the Parties."

RECITALS:

WHEREAS, the parties are public agencies and are therefore authorized by the Utah Interlocal Cooperation Act, UTAH CODE ANN. §§ 11-13-101 to -313, as amended, to enter into agreements with each other which will enable them to make the most efficient use of their powers; and

WHEREAS, on April 27, 2016, the Parties entered into an Interlocal Cooperation Agreement ("Agreement") (County Contract No. 0000000718) for construction and operation of a senior center; and

WHEREAS, the Parties have agreed to extend the hours of operation at the senior center for a period of six months from the execution of this Amendment #1; and

NOW, THEREFORE, in consideration of the promises made herein and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

I. This Amendment shall be effective as of the date and year first set forth above (Effective Date), and the obligations, duties, and rights agreed to herein shall terminate 26 weeks after the Effective Date (the "Pilot Period").

II. County shall provide three additional employees to extend the operating hours of the Salt Lake County Midvale Senior Center, and City shall pay County the costs of those employees, as outlined in the Midvale Senior Center Extending Hours Proposal which is hereby incorporated into this Amendment 1 as Attachment A, within 30 days of the Effective Date.

III. All Parts, Paragraphs, Attachments, and other provisions of the Agreement not specifically modified by this Amendment No. 1 will be the same and remain in full force and effect.

IN WITNESS WHEREOF, the parties have signed and subscribed their names hereon and have caused this First Amendment to Interlocal Cooperation Agreement to be duly executed as of the day and year first set forth above.

SALT LAKE COUNTY

By _____
Mayor or Designee

APPROVED BY:

Salt Lake County Aging and Adult Services

By: _____
Rebecca Kapp
Director

APPROVED IN ACCORDANCE WITH UTAH CODE ANN. § 11-39-9

Salt Lake County District Attorney

By: _____
David Johnson
Deputy District Attorney

Dated _____

MIDVALE CITY

By:_____
JoAnn B. Seghini, Mayor or Designee

ATTEST:

By:_____
Rori Andreason
City Recorder

Date signed:_____

APPROVED IN ACCORDANCE WITH UTAH CODE ANN. § 11-13-9

By:_____
~~Chad Woolley~~ Lisa A. Garner
Midvale City Attorney

Date signed: 3/24/16

Midvale Senior Center Extending Hours Proposal

Midvale Senior Center Goal: To create evening hour programing that will draw the Active Working Older and Community Adults. We have a large minority group that would be more apt to come to the center in the evening as they would come as a family. It will enhance Salt Lake County's quality of life through opportunities for working older adults to have access to resources, services and amenities that Salt Lake County Aging Services can provide to our members.

Midvale's Plan

- Extend Hours on days of Tuesday and Thursday 7:00 a.m. to 8:00 p.m.
- Pilot program of 6 months will begin once the inter-local agreement has been signed by both organizations.
- Marketing extended hours and programming through the center newsletter, Midvale Journal, Midvale City, and outreach through community partners.
- Midvale Senior Center currently has part-time staff who would be willing to work this extended schedule.
- Salt Lake County would like to have a conversation with Midvale City to see if they willing to provide evening transportation.

Expected Outcome

- Working seniors will receive services that cannot be accessed by them during the day.
- Increase of New Membership, Recreational Units and Programs for Midvale Senior Center.
- Increase of intergenerational programs and projects.
- Midvale's extended hours will communicate the value and relevance of its services to working seniors and the multigenerational community.
- Capture more of the racial diverse community.

Measurement

Midvale Senior Center will measure success by realizing a 10% increase of membership (40) with participants between the ages of 60-75 years of age. Our goal is to have 20+ participants attending the senior center on these evenings.

COSTS

1 Temp Employee to work from 4 pm to 8 pm for 2 days:	8 hours X $10.79 = $ 86.32
2 Temp Special instructors for exercise classes 1 each night:	3 hours X $10.79= $ 32.37
TOTAL Weekly Cost	$118.69
26 Weeks	$3085.94*

*Cost to be reimbursed from Midvale City to Salt Lake County Aging and Adult Services

SALT LAKE COUNTY
AGING & ADULT SERVICES

~Helping you navigate the transitions of aging~