



Midvale City  
7505 South Holden Street  
Midvale, UT 84047  
801-567-7200  
[www.midvalecity.org](http://www.midvalecity.org)

---

## MIDVALE CITY COUNCIL MEETING AGENDA October 18, 2016

**PUBLIC NOTICE IS HEREBY GIVEN** that the **Midvale City Council** will hold a regular meeting on the **18th Day of October, 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

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

**VI. MAYOR REPORT**

- A. Mayor JoAnn B. Seghini

**VII. CONSENT AGENDA**

- A. Approve Minutes of October 4 & 11, 2016 [*Rori Andreason, H.R. Director/City Recorder*]
- B. Set date and time (November 1, 2016 at 7:00 p.m.) for a public hearing to consider a text amendment request to adjust the fencing height and to clarify the language and standards for fencing - City wide [*Matt Hilderman, Associate Planner*]

**VIII. ACTION ITEMS**

- A. Approve Resolution No. 2016-R-37 Appointing Garrett Wilcox as the Deputy City Attorney [*Lisa Garner, City Attorney*]
- B. Approve Ordinance No. 2016-O-14 Adopting the Midvale City General Plan 2016 [*Lesley Burns, City Planner*]

**IX. DISCUSSION ITEMS**

- A. Discuss a proposed text amendment request to adjust the fencing height and to clarify the language and standards for fencing - City wide [*Matt Hilderman, Associate Planner*]

**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 2<sup>nd</sup> Floor City Hall Lobby, on the City's website at [www.midvalecity.org](http://www.midvalecity.org) and the State Public Notice Website at <http://pnn.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: OCTOBER 14, 2016**

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



## CITY COUNCIL MEETING

### *Minutes*

**Tuesday, October 4, 2016**

**Council Chambers  
7505 South Holden Street  
Midvale, Utah 84047**

---

**MAYOR:** Mayor JoAnn B. Seghini

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

**STAFF:** Kane Loader, City Manager; Phillip Hill, Assistant City Manager/Community Development Director; Laurie Harvey, Assistant City Manager/Admin. Services Director; Rori Andreason, H.R. Director/City Recorder; Garrett Wilcox, Legal Intern; Chief Jason Mazuran, UPD Midvale Precinct; Chief Scott McBride, UFA; Danny Walz, RDA Director; and Jarin Blackham, IT Manager.

Mayor Seghini called the meeting to order at 6:30 p.m.

### **I. DEPARTMENT REPORTS**

Chief Mazuran reported on recent police incidents. He said he would like to bring in the Employee of the Month from the Midvale PD to Council meetings to introduce them. Kane Loader said he would also like to reinstate the Officer of the Year Program.

Councilmember Wayne Sharp said the police were called out to have the music turned down from a party in the bowery Sunday Night. When he went over to the park, he noticed individuals smoking by the bowery. When he asked the officers if they said anything to them and the officers said no. He asked if the officers should be enforcing the City ordinance of no smoking and no drinking in the park. The Council and City Manager said yes. Kane Loader said he would review the ordinance with Chief Mazuran.

Chief McBride said they had their Awards Ceremony for the Fire Department and the Employee of the Year works in Midvale.

Laurie Harvey discussed the bond ratings received from Fitch, Standards, and Poor. Midvale City received an A plus rating. They said the rates were affordable. She suggested finalizing a capital improvement plan for water and sewer. She said we need to do everything we can to maintain our 365 day reserve money. The bonds are pricing and selling next week. The savings should be \$35,000 to \$40,000 per year. She discussed the emails being send from the website that were not being received. She said as soon as IT found out there was an issue, it was

immediately addressed and resolved. She said Mike Welling, IT Technician, is leaving so that job is being posted.

Phillip Hill reported on the Millennial Way and bike lanes on 900 East Projects. Next Wednesday the Planning Commission is scheduled to discuss the TOD overlay zone. Staff is proposing to split the TOD zones. He has a meeting scheduled with the landscape architect and they will be looking for grant money available for planning grants. He would like to get a consultant to assist with the small area plans for the TOD areas, which he felt would be very beneficial to the City. He said UDOT is looking into the issue regarding the striping on 7200 South and not being able to see it as the sun is going down. He is also looking into the complaint about the street light shining in to a home on the corner of Roosevelt and Marquette.

Danny Walz updated the Council on RDA projects. The ribbon cutting is the last week in October for the Bingham Junction Park. He discussed the Jordan Bluffs Option to Purchase Agreement and the possibility of extending the option for an additional six months.

Kane Loader said he has asked Larry Wright to be the Interim Public Works Director as well as the Facilities Manager job. Management and staff feel good about working with Larry and feel he will do a great job.

Larry Wright reported on the roof replacement at the police precinct which is close to completion. The parking situation on Millennial Way is that it has parking on both sides of the road. He suggested not allowing parking on the north side and painting the curbs red to solve the problem. The adjacent businesses will need to be notified to make sure they are aware of the change. Pioneer Street entering Wasatch also has a problem with parking on both sides of the street, which makes it very difficult for cars stopping at the stop sign. He suggested painting the curb red close to the stop sign.

Councilmember Wayne Sharp said the same problem occurs at the other end of Pioneer Street near Center Street.

Rori Andreason reminded the Council about the Volunteer Dinner Wednesday evening. She also informed the Council that she would be attending a conference next week so Shelly Reed will be attending Council meeting in her place. She reported on the PIO (Public Information Officer) conference she recently attended which offered a lot of great information.

## **II. CITY MANAGER'S REPORT**

Kane Loader reported on the meeting for the NUERA landfill purchase taking place tomorrow. He said there is a tour of the new Middle School scheduled for next week. He asked if any of the Council wanted to attend.

## **III. GENERAL BUSINESS**

### **A. Welcome and Pledge of Allegiance**

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

**IV. PUBLIC COMMENTS**

Robert Hale said he was very pleased with the new city hall. He said he would be in attendance at the next workshop and would like to get caught up on what's happening in Midvale City.

Sophia Hawes-Tingey said immediately after the volunteer appreciation dinner is a Community Council meeting. They will have election candidates there to discuss their candidacy.

Jenny Woods said she is a president of a 501K organization called Thunder Paws Fly Ball and was requesting use of the City park for practicing for a dog relay race. They need 100 ft. long and 50 ft. wide for a couple hours on Sundays.

Mayor Seghini asked her to provide a statement from other parks that have used.

Kane Loader said in the past there is a German Shepherd group that holds a dog show in the park each year and there has been no problems.

Ms. Woods said they clean up after the dogs. Most of their dogs are shelter dogs and this gives them direction for a job. These are high energy dogs and this is a good outlet for them. There are about 15 dog's total. She said the organization is also insured and the dogs are very controlled.

Councilmember Paul Hunt said he would like to see the park used for all kinds of events so he was fine with it.

Kane Loader said they could try it on a trial basis then report back to the Council.

Councilmember Quinn Sperry said he too was fine with it on a trial basis. The Council agreed.

Laurene Walker thanked the Mayor and Council for the cleanup twice a year. She's noticed a difference between the other cities do and don't have this service. She thinks it helps keep the City cleaner.

**V. COUNCIL REPORTS**

**A. Councilmember Quinn Sperry** – Thanked Public Works for the two yield signs on Casa Roja. He also stated that the Community Council meets tomorrow.

**B. Councilmember Wayne Sharp** – Had nothing to report.

**C. Councilmember Stephen Brown** – Absent.

**D. Councilmember Paul Glover** – Had nothing to report.

**E. Councilmember Paul Hunt** – Had nothing to report.

**VI. MAYOR REPORT**

**Mayor JoAnn B. Seghini** – Discussed the City's contributions to the Arts Council. The Council suggested waiting until the Arts Council agenda item to discuss this further.

**VII. CONSENT AGENDA**

**A. APPROVE MINUTES OF SEPTEMBER 20, 2016**

**MOTION:** Councilmember Wayne Sharp **MOVED** to approve the consent agenda. The motion was **SECONDED** by Councilmember Paul Glover. Mayor Seghini called for discussion on the motion. There being none she called for a roll call vote. The voting was as follows:

Council member Stephen Brown	Absent
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**

**A. APPROVE ORDINANCE NO. 2016-O-13 ESTABLISHING TEMPORARY LAND USE REGULATIONS PROHIBITING AMUSEMENT HOUSES IN THE SF-1 AND SF-2 SINGLE FAMILY ZONES AND RM-12 AND RM-25 MULTI-FAMILY ZONES**

**MOTION:** Councilmember Wayne Sharp **MOVED** to open this item to public comment. Councilmember Paul Hunt **SECONDED** the motion. Mayor Seghini called for discussion on the motion. There being none, she called for a vote. The motion passed unanimously.

Phillip Hill stated following discussions with the City Council it has been determined that it is necessary to review the existing land use regulations in the SF-1 and SF-2 Single Family zones, and RM-12 and RM-25 Multi-Family zones with respect to Amusement Houses.

Specifically the Council has expressed concerns of whether such uses are appropriate in single family neighborhoods and how/if the negative impacts related to traffic, noise and light can be mitigated.

As defined, an “Amusement House” means any house, building, premises or any other structure or portion thereof, whether temporary or permanent, that is open to the public to tour, move through for purposes of amusement, entertainment or fright. This use can be for either profit or non-profit.

The proposed ordinance would, if adopted, place a temporary land use regulation on these zones prohibiting Amusement Houses for up to six (6) months while the City Council, Planning Commission, and City Staff address these concerns. This ordinance does not apply to holiday decorations, only the use as defined.

John Seimans said he has put on a spook alley for years in Midvale. He was concerned about the definition of the ordinance. It’s not big, not grand. They don’t charge for it. They only have it on

Halloween night and hand out candy. People bring food that he donates to the food bank. His concern with the current way it's written is it's putting a suspension on haunted houses based on how it impacts the neighborhood for traffic, lights, and noise. By suspending it, how will the City get a true record on how it affects the neighborhoods. There are other residents that run a bigger spook alley and have it for a much longer time. He does it for a hobby because he loves Halloween. He said it would be a great disappointment if he cannot bring the joy to the citizens. He starts decorating the second week of October but brings out the big stuff the last week in October. He said the kids in the neighborhood know that if they vandalize or steal from his displays, that he will shut it down. He takes the display down within three days of Halloween.

Phillip Hill said this ordinance is for an amusement house that would require a building permit to erect. This ordinance would not affect Mr. Seiman.

Mr. Seimans said he has never received a complaint.

Laurene Walker said she and her neighbors love Mr. Seiman's spook alley. It's been a wonderful addition and she's glad it will not be affected by this ordinance.

There was no one else present who desired to speak to this issue.

Councilmember Paul Hunt said the spirit of this is to try to protect the neighborhoods, single/multi-family houses from excessive building, requiring and not getting building permits, noise, traffic, and parking ordinances.

Councilmember Quinn Sperry said he feels safety is the biggest issue being addressed.

Councilmember Wayne Sharp said safety as well as the affect and impact on the neighborhoods.

**MOTION: Councilmember Wayne Sharp MOVED to close this item to public comment. Councilmember Quinn Sperry SECONDED the motion. Mayor Seghini called for discussion on the motion. There being none, she called for a vote. The motion passed unanimously.**

**MOTION: Councilmember Paul Hunt MOVED that based on the findings of the City Council, identifying the challenges of Amusement Houses in the SF-1 and SF-2 Single Family zones, RM-12 and RM-25 Multi-Family zones, I move to adopt Ordinance No. 2016-O-13 placing temporary land use regulations prohibiting Amusement Houses. This temporary land use regulation shall be limited in time to no more than six (6) months following the adoption of this ordinance. The motion was SECONDED by Councilmember Wayne Sharp. Mayor Seghini called for discussion on the motion. There being none the she called for a roll call vote. The voting was as follows:**

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

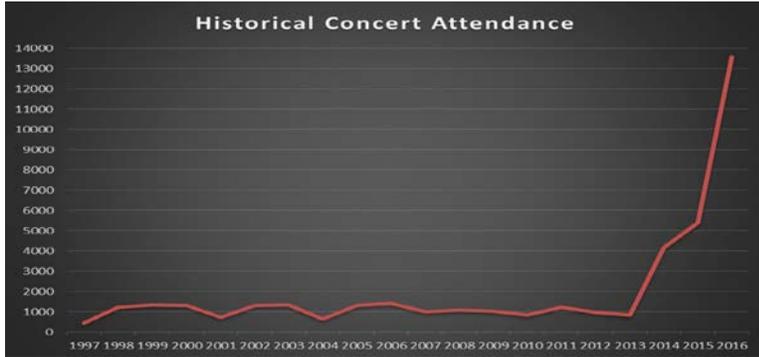
**The motion passed unanimously.**

**IX. DISCUSSION ITEMS**

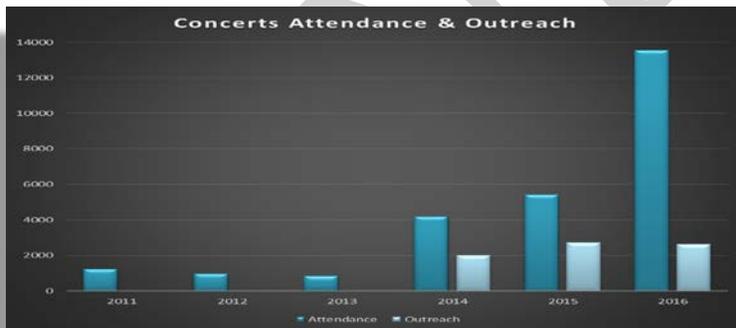
**A. ARTS COUNCIL REPORT ON SUMMER ACTIVITIES**

Melanie Beardall and Bob Bedore presented the Arts Council report on the summer activities.

Midvale Arts Council Summer Activities Report  
**Levitt AMP Midvale Music Series**



- Concerts in Midvale have been going for over 20 years
- We used to be involved with the annual community Messiah performance
- We used to hold Presidents' Day Concerts at Hillcrest High
- We used to have one concert in the summer each year
- We have had indoor concerts at the old Senior Center & also at the MPAC monthly or quarterly
- We are always evaluating our efforts to see how we can improve



- We have worked very hard to increase our impact on the community
- We have worked closely with the schools to provide enrichment activities – Salzburger Echo, Mama's Wranglers, & Quick Wits have all provided workshops and/or assemblies
- We have also been able to increase the number of artists that are involved:

2011 – 203 artists  
2012 – 190 artists  
2013 – 151 artists  
2014 – 211 artists  
2015 – 251 artists  
2016 – 527 artists

**Diversity:**

Bands including 23<sup>rd</sup> Army Band, Latin Roots, Incendio, Dunmore Lassies, City Jazz Big Band, Samba Fogo, Crescent Super Band, and Samba Fogo Band.

**Atmosphere:**

Family, unity, community, volunteers, food trucks, activities.

**Patron Comments:**

- The Friday night concerts are fun. I have to work, but these concerts make me feel more connected to what's meaningful and worth living for. Also, it contributes to a feeling of community at a time where a sense of community is being challenged. – Barbara Tagoa'i
- All the artists were so talented and wonderful to listen to! It was a wonderful summer of concerts and I loved enjoying the beauty of nature with my family. We looked forward to these concerts every week! They are fun, relaxing and simply enjoyable. Thank you Midvale Arts Council for all your hard work to provide this concert series for our community! – Holly Weidauer
- Thank you Midvale Arts! I'm honored that you let me perform for your amazing community! Best to You! – Alex Boyé
- They provided me with multiple concerts with artists that reflected various cultures, ethnicities, and demographics. I loved most of them, and those that I didn't broadened my experience! – Anonymous

**Quick Wits Comedy Improv College:**

- East Midvale – 28 students participated
  - 695 audience members
- Midvalley – 11 students participated
  - 549 audience members
- Midvale – 20 students participated
  - 790 audience members
- Copperview – 2 students participated
  - 650 audience members
  - **Totals = 61 students participated**
  - **2684 audience members**

Bob Bedore thanked the Council for the Arts program in Midvale. He is a West Jordan resident but there are no arts in West Jordan, which is why he became a part of the Midvale Arts Council. He owns the Quik Wits Comedy Center. He expressed his appreciation for the arts and what it can do for the community.

Mayor Seghini asked the Council about writing letters of support for the Arts Council.

Councilmember Wayne Sharp said he has received concerns from constituents regarding the amount of money the City gives to the Arts Council.

Councilmember Paul Glover said it's good to provide a better image for the City and give back to the community.

Councilmember Wayne Sharp said he was not opposing the support for the Arts Council. He said they did a great job on the concerts. He was bothered by the fact that they took advantage of talking about the petitions against the land use development at the Harvest Days Community Event.

Councilmember Quinn Sperry said he did not appreciate what the Arts Council did by using their position as a platform against the land use development but it's not enough to pull back his support.

Councilmember Paul Hunt said he would like to open up our community and enjoy the arts and the park. He appreciates the Arts Council and all of the work that they do.

Mayor Seghini challenged the Arts Council to include the Midvale residents east of State Street as well.

**X. ADJOURN**

**MOTION: Councilmember Wayne Sharp MOVED to adjourn the meeting. Councilmember Paul Hunt SECONDED the motion. Mayor Seghini called for discussion on the motion. There being none, she called for a vote. The motion passed unanimously.**

The meeting adjourned at 8:31 p.m.

---

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

Approved this 18th day of October, 2016.



---

## MIDVALE CITY COUNCIL SUMMARY REPORT

Meeting Date: October 18, 2016

---

### SUBJECT:

Set Public Hearing for November 1, 2016 and Discussion on a text amendment request to adjust the fencing heights and to clarify the language and standards for fencing – City wide

---

### SUBMITTED BY:

Matt Hilderman, Associate Planner

### SUMMARY:

The City Council has made a request to review our existing fence ordinance for Single-Family and Multifamily Residential Zones and suggested 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.”*

This same language is also identified within the multifamily zones, some sections within higher-intensity zone districts, and in some areas 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 2015 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.

During our initial discussion with the Planning Commission on April 27, 2016, the Commission requested that Staff provide some revised language proposing the increased fencing height and also language concerning standards that should be met to allow an increase. Another discussion and review ensued on June 8, 2016 where the Commission recommended some additional changes relating to; height uniformity, issues of safety and security, and adjacent fences being reasonably comparable concerning fencing materials.

On September 28, 2016 a public hearing was conducted and initial comments from the public were received. After further discussion, the Commission moved to table this amendment and requested Staff to further clarify the proposed fencing height increase and to clarify additional fencing standards and language.

Staff has provided the attached proposed text amendment (**Attachment A**) for review and discussion. In summary, this attachment addresses the following proposed changes:

- Change of fencing height language to allow seven-feet (7') within all identified residential-use zone districts and an allowance to construct an eight-foot (8') high fence, based on specific

requirements to be met and conditions for approval, within the Single-Family and Multi-Family Residential Zones throughout the City.

- Allowance to construct a seven-foot (7') high fence within the front yard setback, for any proposed Gated Community, within the Single-Family Residential Zone (SF-1) only.
- Removal of all fencing language relating to placement of a fence, hedge, or wall not being located nearer than six-inches (6") to any public sidewalk.
- Allowance of corner lots (defined as, "a lot situated at the intersection of two streets, the interior angle of such intersection does not exceed one hundred thirty-five degrees; §17-2-3 "C" definitions) to construct a seven-foot (7') high fence within one, front yard setback.
- Transit-Oriented Development (TOD) and Regional Commercial Residential Overlay zones required to have a minimum seven-foot (7') high fence creating a buffering standard from Residential uses.

### **Planning Commission Recommendation**

On October 12, 2016, the Planning Commission reviewed all the information received and discussed the aesthetics of this use as is related to the surrounding neighborhoods and overall city character. It was the Planning Commission's recommendation to approve Staff's ordinance amendment with the following motion:

*"In order to accommodate uses not originally contemplated when the Zoning Ordinance was originally adopted and to further provide safety and security of individual properties and their uses, I move that we forward a positive recommendation to the City Council to add language to adjust the fencing heights & to clarify the fencing language & standards Citywide, as included in Attachment A, but with the following change:*

1. *Adding additional language to Item #5, Section (b), for the eight-foot fencing allowance stating the following:*

*"Buffering between commercial / industrial uses and residential uses or between single-family and multi-family residential uses."*

**FISCAL IMPACT:** N/A

---

### **Attachments:**

- Attachment A – Ordinance Proposal
- Residential Zone Districts - Zoning Map
- Current Zoning Map

# ATTACHMENT A

## Chapter 17-7-1 Single Family Residential Zone (SF-1)

- Section 17-7-1.2 Use table.

If a use is not specifically designated, then it is prohibited.

Table 17-7-1.2 Uses

Type	Allowed	Administrative	Conditional	Business License
Flag Lot			X	
Gated Development Community		X		
Home Occupation	X			X

- Section 17-7-1.6 Fences, hedges and walls. (A)  
2. ~~No fence, hedge, or wall is placed nearer than six inches to any public sidewalk.~~

- Section 17-7-1.6 Fences, hedges and walls. (B) Height.

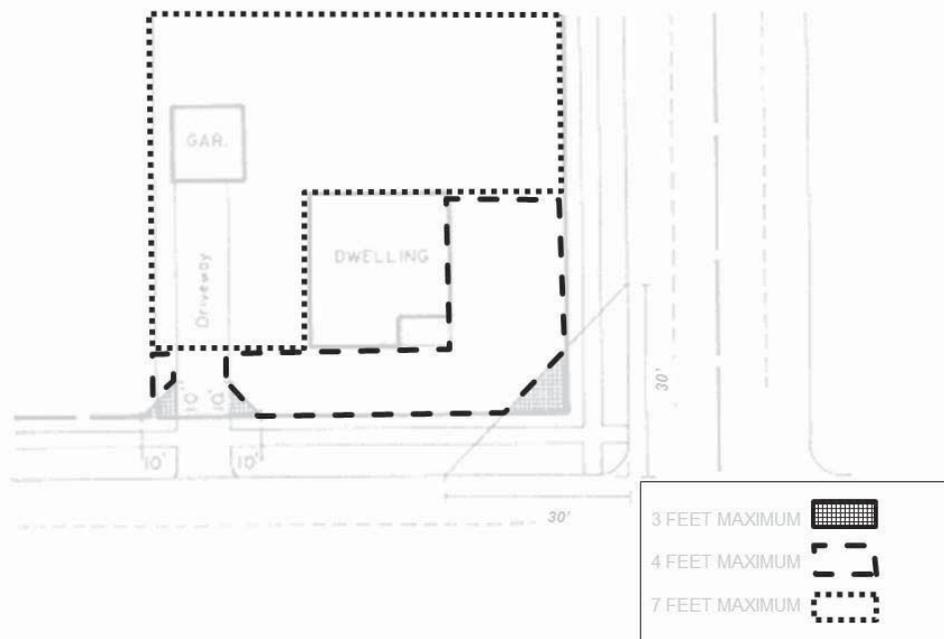
*No fence or wall may exceed ~~six~~ seven feet in height, four feet in height in the front yard setback, nor three feet in the clear view triangle, measured as follows:*

- 1. In a required yard abutting a street, the total effective height above the finished grade measured on the side nearest the street;*
- 2. In any other required yard, the total effective height above the finished grade measured on the side nearest the abutting property;*
- 3. On a property line, measured from the finished grade of either side when the abutting property owners are in agreement; and*
- 4. A temporary fence on a construction site may be as high as required to protect the property during the period of construction.*
- 5. Fencing up to eight feet in height may be allowed in the side(s) or rear yard provided one of the following requirements are met:*
  - a) The side(s) or rear property is adjacent to a freeway system or arterial or collector roadway.*
  - b) Buffering between commercial / industrial uses and residential uses or between single-family and multi-family residential uses.*
  - c) Demonstration of safety and/or security matters.*

Fencing eight feet in height shall comply with the following conditions:

- i. The proposed fence shall be reasonably compatible with respect to height from adjacent fences and shall transition consistently from one segment of fence to another.
- ii. The proposed fence shall be reasonably compatible with respect to materials from adjacent fences and shall propose materials and colors that are consistent and similar.
- iii. A building permit shall be obtained from the City and construction of fences and retaining walls must meet applicable requirements of the building codes.

6. Corner lots may have a fence up to seven feet in height, enclosing the yard area opposite one of the side yards and along the street frontage, provided the fence does not extend into the remaining required front yard setback. Any fence, hedge, or wall placed within ten feet of a driveway may not exceed three feet in height for sight obscuring solid material or four feet in height for nonobscuring open materials for the first ten feet behind the sidewalk.



- Section 17-7-1.11 Conditional use standards of review. (B) (2) Administrative Conditional Use.
  - b. ~~Gated Communities. An application for a gated community must demonstrate adequate provision for perpetual access of life safety equipment and personnel. The minimum width of one-way access is fifteen feet. Proposed gate works must include access technology installed and maintained to the reasonable satisfaction of the fire marshal.~~  
b. Gated Communities. Each application for a gated community must comply with the following:

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

## **Chapter 17-7-2 Single Family Residential Zone (SF-2)**

- Section 17-7-2.6 Fences, hedges and walls. (A)
  2. ~~No fence, hedge, or wall is placed nearer than six inches to any public sidewalk.~~

- Section 17-7-2.6 Fences, hedges and walls. (B) Height.

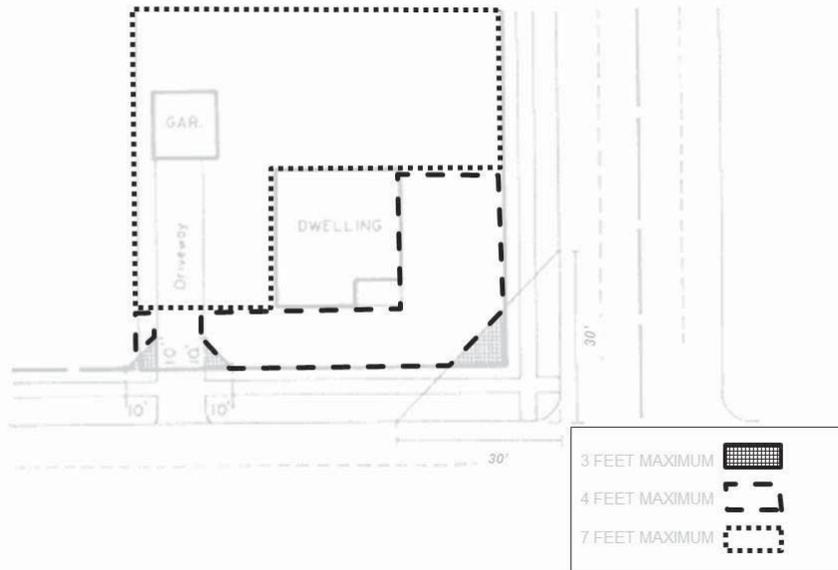
*No fence or wall may exceed ~~six~~ seven feet in height, four feet in height in the front yard setback, nor three feet in the clear view triangle measured as follows:*

1. *In a required yard abutting a street, the total effective height above the finished grade measured on the side nearest the street;*
2. *In any other required yard, the total effective height above the finished grade measured on the side nearest the abutting property;*
3. *On a property line, measured from the finished grade of either side when the abutting property owners are in agreement; and*
4. *A temporary fence on a construction site may be as high as required to protect the property during the period of construction.*
5. *Fencing up to eight feet in height may be allowed in the side(s) or rear yard provided one of the following requirements are met:*
  - a) *The side(s) or rear property is adjacent to a freeway system or arterial or collector roadway.*
  - b) *Buffering between commercial / industrial uses and residential uses or between single-family and multi-family residential uses.*
  - c) *Demonstration of safety and/or security matters.*

*Fencing eight feet in height shall comply with the following conditions:*

- i. *The proposed fence shall be reasonably compatible with respect to height from adjacent fences and shall transition consistently from one segment of fence to another.*
- ii. *The proposed fence shall be reasonably compatible with respect to materials from adjacent fences and shall propose materials and colors that are consistent and similar.*
- iii. *A building permit shall be obtained from the City and construction of fences and retaining walls must meet applicable requirements of the building codes.*

6. Corner lots may have a fence up to seven feet in height, enclosing the yard area opposite one of the side yards and along the street frontage, provided the fence does not extend into the remaining required front yard setback. Any fence, hedge, or wall placed within ten feet of a driveway may not exceed three feet in height for sight obscuring solid material or four feet in height for nonobscuring open materials for the first ten feet behind the sidewalk.



- Section 17-7-2.11 (B) (e) (v) (B) Neighborhood Commercial Use. Full Sight-Obscuring Fence. ~~Such fence must be six feet high.~~ Such fence must be a minimum of six feet high (up to eight feet if warranted and approved by the planning commission)

## **Chapter 17-7-3 Multifamily Residential – Medium Density Zone (RM-12)**

- Section 17-7-3.5 (D) Fences, Hedges and Walls. (1)
  - b. No fence, hedge, or wall is placed nearer than six inches to any public sidewalk

- Section 17-7-3.5 (D) Fences, Hedges and Walls. (2) Height.

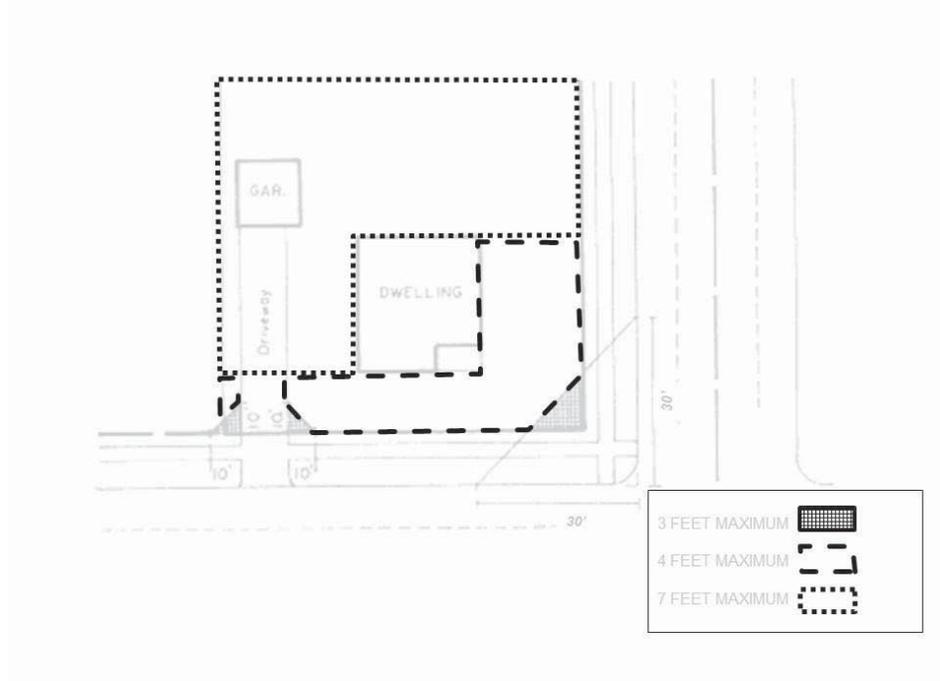
No fence or wall may exceed ~~six~~ seven feet in height, four feet in height in the front yard setback, nor three feet in the clear view triangle measured as follows:

1. In a required yard abutting a street, the total effective height above the finished grade measured on the side nearest the street;
2. In any other required yard, the total effective height above the finished grade measured on the side nearest the abutting property;
3. On a property line, measured from the finished grade of either side when the abutting property owners are in agreement; and
4. A temporary fence on a construction site may be as high as required to protect the property during the period of construction.
5. Fencing up to eight feet in height may be allowed in the side(s) or rear yard provided one of the following requirements are met:
  - a) The side(s) or rear property is adjacent to a freeway system or arterial or collector roadway.
  - b) Buffering between commercial / industrial uses and residential uses or between single-family and multi-family residential uses.
  - c) Demonstration of safety and/or security matters.

Fencing eight feet in height shall comply with the following conditions:

- i. The proposed fence shall be reasonably compatible with respect to height from adjacent fences and shall transition consistently from one segment of fence to another.
  - ii. The proposed fence shall be reasonably compatible with respect to materials from adjacent fences and shall propose materials and colors that are consistent and similar.
  - iii. A building permit shall be obtained from the City and construction of fences and retaining walls must meet applicable requirements of the building codes.
6. Corner lots may have a fence up to seven feet in height, enclosing the yard area opposite one of the side yards and along the street frontage, provided the fence does not extend into the remaining required front yard setback. Any fence, hedge, or wall placed within ten feet of a driveway may not exceed three feet in height for sight obscuring solid material or four feet in

height for nonobscuring open materials for the first ten feet behind the sidewalk.



– Table 17-7-3.5 Architectural Standards (Multifamily)

Materials	Configurations	Techniques
<b>Yards</b>		
<i>Yard Walls &amp; Fences:</i> Shall be of materials and color complementary to the building's materials.	Max. height from front of primary structure forward is 4'. Max. height in clear view triangle is 3'. Max. height on lot is 6'-7'.	When a masonry wall is constructed, it shall be at least 8" in thickness and be capped by a top course suitable for weather protection.

## **Chapter 17-7-4 Multifamily Residential – Medium to High Density Zone (RM-25)**

- Section 17-7-4.5 (D) Fences, Hedges and Walls. (1)
  - b. ~~No fence, hedge, or wall is placed nearer than six inches to any public sidewalk.~~

- Section 17-7-4.5 (D) Fences, Hedges and Walls. (2) Height.

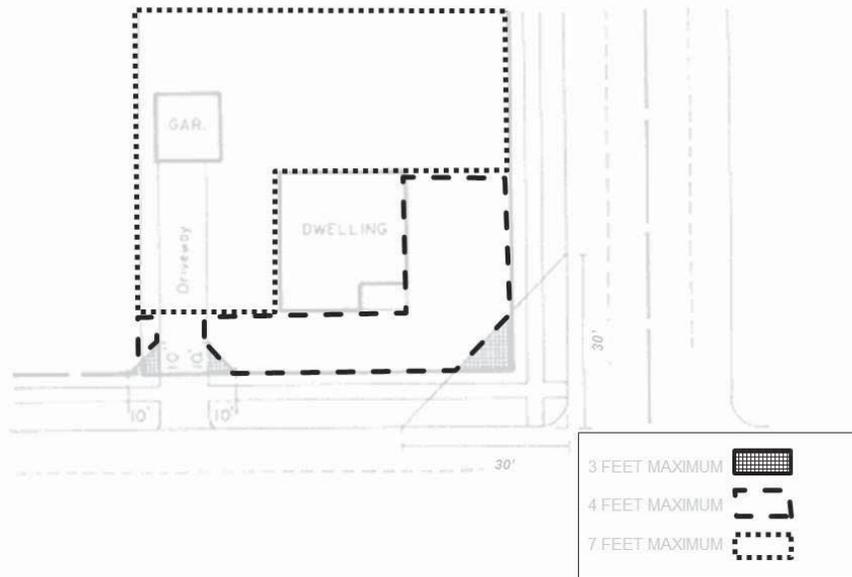
*No fence or wall may exceed ~~six~~ seven feet in height, four feet in height in the front yard setback, nor three feet in the clear view triangle measured as follows:*

1. *In a required yard abutting a street, the total effective height above the finished grade measured on the side nearest the street;*
2. *In any other required yard, the total effective height above the finished grade measured on the side nearest the abutting property;*
3. *On a property line, measured from the finished grade of either side when the abutting property owners are in agreement; and*
4. *A temporary fence on a construction site may be as high as required to protect the property during the period of construction.*
5. *Fencing up to eight feet in height may be allowed in the side(s) or rear yard provided one of the following requirements are met:*
  - a) *The side(s) or rear property is adjacent to a freeway system or arterial or collector roadway.*
  - b) *Buffering between commercial / industrial uses and residential uses or between single-family and multi-family residential uses.*
  - c) *Demonstration of safety and/or security matters.*

*Fencing eight feet in height shall comply with the following conditions:*

- i. *The proposed fence shall be reasonably compatible with respect to height from adjacent fences and shall transition consistently from one segment of fence to another.*
  - ii. *The proposed fence shall be reasonably compatible with respect to materials from adjacent fences and shall propose materials and colors that are consistent and similar.*
  - iii. *A building permit shall be obtained from the City and construction of fences and retaining walls must meet applicable requirements of the building codes.*
6. *Corner lots may have a fence up to seven feet in height, enclosing the yard area opposite one of the side yards and along the street frontage, provided the fence does not extend into the remaining required front yard setback. Any fence, hedge, or wall placed within ten feet of a driveway may not exceed three feet in height for sight obscuring solid material or four feet in*

height for nonobscuring open materials for the first ten feet behind the sidewalk.



– Table 17-7-4.5 Architectural Standards (Multifamily)

Materials	Configurations	Techniques
<b>Yards</b>		
<i>Yard Walls &amp; Fences:</i> Shall be of materials and color complementary to the building's materials.	Max. height from front of primary structure forward is 4'. Max. height in clear view triangle is 3'. Max. height on lot is 6'-7'.	When a masonry wall is constructed, it shall be at least 8" in thickness and be capped by a top course suitable for weather protection.

## Chapter 17-7-5 Mixed-Use Zone (MU)

– Table 17-7-5.2 Uses

Type	Allowed	Administrative	Conditional	Business License
Fences <del>6</del> 7' or less	X			
> <del>6</del> 7'		X		

- Section 17-7-5.8 (B) (2) Administrative Conditional Use. (c) Fences greater than ~~six~~ seven feet in height.

*i. The applicant must demonstrate that a fence greater than ~~six~~ seven feet in height is necessary to better promote public health, safety, welfare, and aesthetic quality in the area and the height requested is the minimum necessary to achieve this.*

*ii. The fence design, i.e., materials, color, features, height, must be compatible with the associated development in terms of theme, architecture and function. All barbed wire or other sharp, pointed, or electrically charged fences are prohibited.*

*iii. Fences shall comply with all requirements for fences less than or equal to ~~six~~ seven feet in height with regard to location and construction.*

## **Chapter 17-7-6 7200 South Overlay**

- Section 17-76.5 Architectural Standards. (D) Fences, Hedges and Walls. (1)
  - c. No fence, hedge, or wall may be placed nearer than six inches to any public sidewalk

- Section 17-7-6.5 Architectural Standards. (D) Fences, Hedges and Walls. (2) Height.

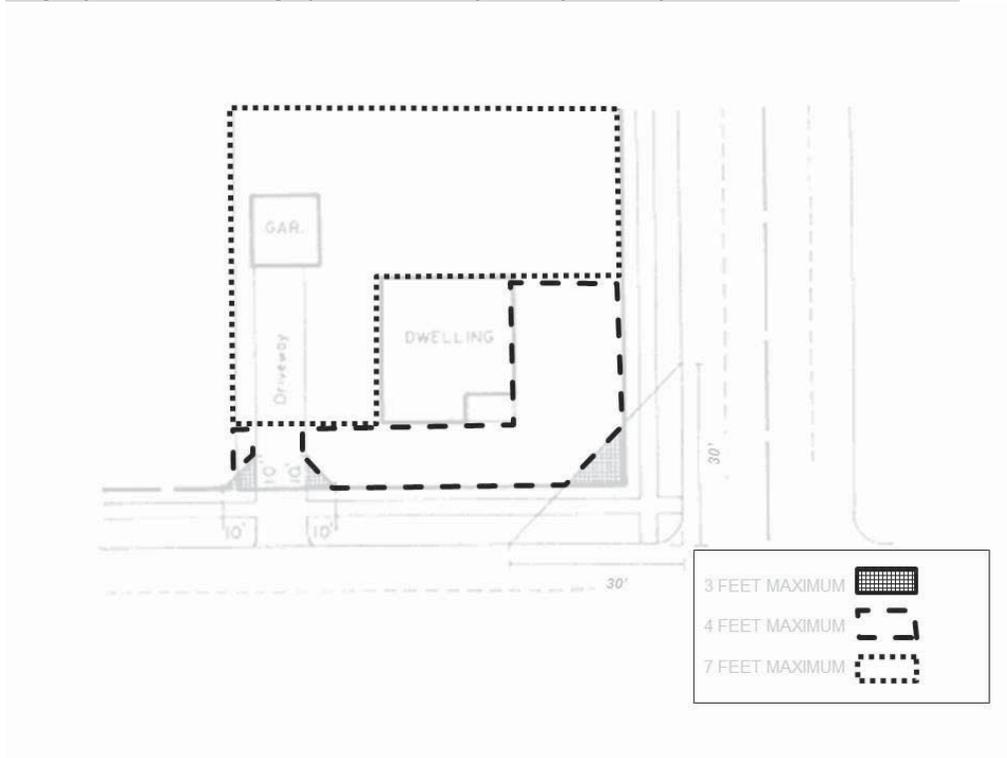
*No fence or wall may exceed ~~six~~ seven feet in height, four feet in height in the front yard setback, nor three feet in the clear view triangle measured as follows:*

1. *In a required yard abutting a street, the total effective height above the finished grade measured on the side nearest the street;*
2. *In any other required yard, the total effective height above the finished grade measured on the side nearest the abutting property;*
3. *On a property line, measured from the finished grade of either side when the abutting property owners are in agreement; and*
4. *A temporary fence on a construction site may be as high as required to protect the property during the period of construction.*
5. *Fencing up to eight feet in height may be allowed in the side(s) or rear yard provided one of the following requirements are met:*
  - a) *The side(s) or rear property is adjacent to a freeway system or arterial or collector roadway.*
  - b) *Buffering between commercial / industrial uses and residential uses or between single-family and multi-family residential uses.*
  - c) *Demonstration of safety and/or security matters.*

*Fencing eight feet in height shall comply with the following conditions:*

- i. *The proposed fence shall be reasonably compatible with respect to height from adjacent fences and shall transition consistently from one segment of fence to another.*
  - ii. *The proposed fence shall be reasonably compatible with respect to materials from adjacent fences and shall propose materials and colors that are consistent and similar.*
  - iii. *A building permit shall be obtained from the City and construction of fences and retaining walls must meet applicable requirements of the building codes.*
6. *Corner lots may have a fence up to seven feet in height, enclosing the yard area opposite one of the side yards and along the street frontage, provided the fence does not extend into the remaining required front yard setback. Any fence, hedge, or wall placed within ten feet of a driveway may not exceed three feet in height for sight obscuring solid material or four feet in*

height for nonobscuring open materials for the first ten feet behind the sidewalk.



## Chapter 17-7-7 State Street Zone (SSC)

– Table 17-7-7.2 Uses

Type	Allowed	Administrative	Conditional	Business License
Fences				
6' 7' or less	X			
> 6' 7'		X		

- Section 17-7-7.5 Architectural Standards. (E) Fences, Hedges and Walls. (1)
  - c. ~~No fence, hedge, or wall may be placed nearer than six inches to any public sidewalk.~~

- Section 17-7-7.5 Architectural Standards. (E) Fences, Hedges and Walls. (2) Height.
 

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

- Section 17-7-7.7 Required landscaping. (I) Residential buffer. (2) Fully-sight obscuring fence.
 

*The planning commission shall require complete visual separation from residential uses if it determines that complete screening is necessary to protect abutting uses, and landscaping is not practical. ~~Such fence must be six feet high.~~ Such fence must be a minimum of six feet high (up to eight feet if warranted and approved by the planning commission) and completely sight-obscuring. Fences may be of wood, metal, bricks, masonry or other permanent materials*

– Table 17-7-7.7 Landscaping Requirements

Area	Requirement	Specifications
Residential Buffer	30' between residential and commercial uses	<ul style="list-style-type: none"> <li>• Minimum 1 tree for every 250 s.f. of buffer area</li> <li>• Minimum 6' masonry wall between commercial and residential uses</li> </ul>

- Section 17-7-7.11 (B) (2) Administrative Conditional Use. (b) Fences greater than ~~six~~ seven feet in height.

- i. *The applicant must demonstrate that a fence greater than ~~six~~ seven feet in height is necessary to better promote public health, safety, welfare, and aesthetic quality in the area and the height requested is the minimum necessary to achieve this.*

- ii. *The fence design, i.e., materials, color, features, height, must be compatible with the associated development in terms of theme, architecture and function. All barbed wire or other sharp, pointed, or electrically charged fences are prohibited.*

- iii. *Fences shall comply with all requirements for fences less than or equal to ~~six~~ seven feet in height with regard to location and construction.*

## Chapter 17-7-8 Transit-Oriented Development Zone (TOD)

– Table 17-7-8.2 Uses

Type	Allowed	Administrative	Conditional	Business License
Fences <del>6'</del> 7' or less	X			
> <del>6'</del> 7'		X		

- Section 17-7-8.3 Single Family Residential. (K) Fences, Hedges and Walls. (1)  
~~b. No fence, hedge, or wall is placed nearer than six inches to any public sidewalk.~~

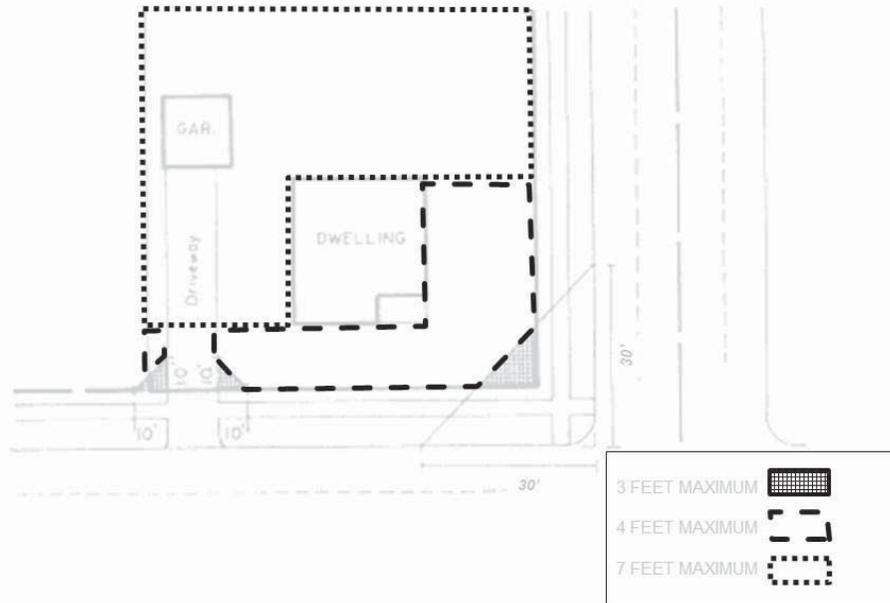
– Section 17-7-8.3 Single Family Residential. (K) Fences, Hedges and Walls. (2) Height.  
*No fence or wall may exceed ~~six seven~~ feet in height, four feet in height in the front yard setback, nor three feet in the clear view triangle measured as follows:*

1. *In a required yard abutting a street, the total effective height above the finished grade measured on the side nearest the street;*
2. *In any other required yard, the total effective height above the finished grade measured on the side nearest the abutting property;*
3. *On a property line, measured from the finished grade of either side when the abutting property owners are in agreement; and*
4. *A temporary fence on a construction site may be as high as required to protect the property during the period of construction.*
5. *Fencing up to eight feet in height may be allowed in the side(s) or rear yard provided one of the following requirements are met:*
  - a) *The side(s) or rear property is adjacent to a freeway system or arterial or collector roadway.*
  - b) *Buffering between commercial / industrial uses and residential uses or between single-family and multi-family residential uses.*
  - c) *Demonstration of safety and/or security matters.*

*Fencing eight feet in height shall comply with the following conditions:*

- i. *The proposed fence shall be reasonably compatible with respect to height from adjacent fences and shall transition consistently from one segment of fence to another.*
- ii. *The proposed fence shall be reasonably compatible with respect to materials from adjacent fences and shall propose materials and colors that are consistent and similar.*

- iii. A building permit shall be obtained from the City and construction of fences and retaining walls must meet applicable requirements of the building codes.
6. Corner lots may have a fence up to seven feet in height, enclosing the yard area opposite one of the side yards and along the street frontage, provided the fence does not extend into the remaining required front yard setback. Any fence, hedge, or wall placed within ten feet of a driveway may not exceed three feet in height for sight obscuring solid material or four feet in height for nonobscuring open materials for the first ten feet behind the sidewalk.

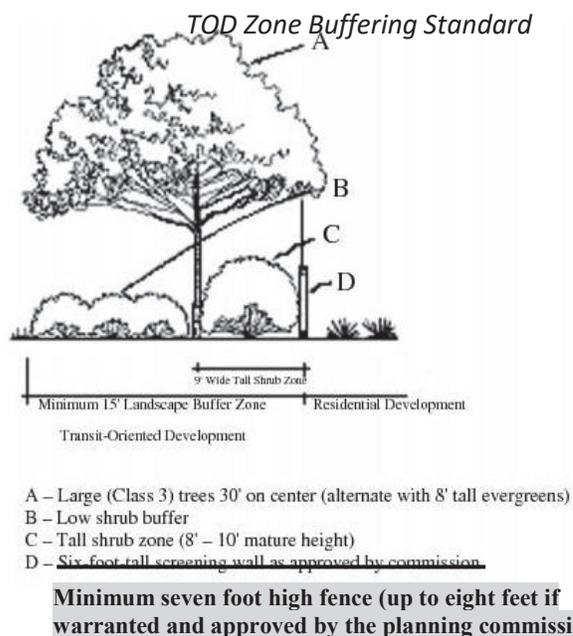


- Section 17-7-8.4 Medium and high density residential. (I) Fencing.  
*Fencing in residential developments shall not exceed ~~six~~ seven feet in height in the rear and side yards. Fencing in a front yard is prohibited. Fencing located in the sight distance triangle shall not exceed three feet in height. The fencing of private yards shall be accomplished in a manner that does not create areas of common space that are unusable, inaccessible, or hidden from other residents of the project. Barbed or razor wire is prohibited*

- Section 17-7-8.6 Retail, office and mixed-use architectural. (E) Fences, Hedges and Walls.  
 (2) Height.  
*No fence or wall may exceed ~~six~~ seven feet in height, four feet in height in the front yard setback, nor three feet in the clear view triangle*

- Section 17-7-8.7 Required landscaping. (C) Residential 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. **minimum seven foot high fence (up to eight feet if warranted and 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*



- Section 17-7-8.11 (B) (2) Administrative Conditional Use. (c) Fences greater than ~~six~~ **seven** feet in height.

*i. The applicant must demonstrate that a fence greater than ~~six~~ **seven** feet in height is necessary to better promote public health, safety, welfare, and aesthetic quality in the area and the height requested is the minimum necessary to achieve this.*

*ii. The fence design, i.e., materials, color, features, height, must be compatible with the associated development in terms of theme, architecture and function. All barbed wire or other sharp, pointed, or electrically charged fences are prohibited.*

*iii. Fences shall comply with all requirements for fences less than or equal to ~~six~~ **seven** feet in height with regard to location and construction.*

## **Chapter 17-7-9 Bingham Junction Zone (BJ)**

– Section 17-7-9.3 Uses.

Subarea 1 – Residential

*Fences, 6' 7" or less – Allowed*

Subarea 1 – Urban

*Fences, 6' 7" or less – Allowed*

*Fences, 6' 7" or more – Administrative Conditional Use Permit (ACUP)*

Subarea 2 – Urban

*Fences, 6' 7" or less – Allowed*

*Fences, 6' 7" or more – Administrative Conditional Use Permit (ACUP)*

Subarea 2 – Mixed-Use

*Fences, 6' 7" or less – Allowed*

*Fences, 6' 7" or more – Administrative Conditional Use Permit (ACUP)*

Subarea 3 – Residential

*Fences, 6' 7" or less – Allowed*

Subarea 3 – Urban

*Fences, 6' 7" or less – Allowed*

*Fences, 6' 7" or more – Administrative Conditional Use Permit (ACUP)*

Subarea 3 – Mixed-Use

*Fences, 6' 7" or less – Allowed*

*Fences, 6' 7" or more – Administrative Conditional Use Permit (ACUP)*

Subarea 4 – Residential

*Fences, 6' 7" or less – Allowed*

Subarea 4 – Urban

*Fences, 6' 7" or less – Allowed*

*Fences, 6' 7" or more – Administrative Conditional Use Permit (ACUP)*

Subarea 4 – Mixed-Use

*Fences, 6' 7" or less – Allowed*

*Fences, 6' 7" or more – Administrative Conditional Use Permit (ACUP)*

Subarea 5 – Urban

*Fences, 6' 7" or less – Allowed*

*Fences, 6' 7" or more – Administrative Conditional Use Permit (ACUP)*

Subarea 5 – Mixed-Use

*Fences, 6' 7" or less – Allowed*

*Fences, 6' 7" or more – Administrative Conditional Use Permit (ACUP)*

Subarea 6 – Mixed-Use

*Fences, 6' 7" or less – Allowed*

*Fences, 6' 7" or more – Administrative Conditional Use Permit (ACUP)*

– Section 17-7-9.9 (B) (2) Administrative Conditional Use. (c) Fences greater than six seven feet in height.

- i. *The applicant must demonstrate that a fence greater than six seven feet in height is necessary to better promote public health, safety, welfare, and aesthetic quality in the area and the height requested is the minimum necessary to achieve this.*

*ii. The fence design, i.e., materials, color, features, height, must be compatible with the associated development in terms of theme, architecture and function. All barbed wire or other sharp, pointed, or electrically charged fences are prohibited.*

*iii. Fences shall comply with all requirements for fences less than or equal to ~~six~~ seven feet in height with regard to location and construction.*

## Chapter 17-7-9.12.1 Riverwalk Zone

- Section 17-7-9.12.1.3 Uses.

- Subarea 1 – Residential

- Fences, 6' 7" or less – Allowed*

- Subarea 1 – Retail/Office/Flex

- Fences, 6' 7" or less – Allowed*

- Fences, 6' 7" or more – Administrative Conditional Use Permit (ACUP)*

- Subarea 2 – Retail/Office/Flex

- Fences, 6' 7" or less – Allowed*

- Fences, 6' 7" or more – Administrative Conditional Use Permit (ACUP)*

- Subarea 2 – Mixed-Use

- Fences, 6' 7" or less – Allowed*

- Fences, 6' 7" or more – Administrative Conditional Use Permit (ACUP)*

- Subarea 5 – Retail/Office/Flex

- Fences, 6' 7" or less – Allowed*

- Fences, 6' 7" or more – Administrative Conditional Use Permit (ACUP)*

- Section 17-7-9.12.1.5 Medium and high density residential development. (F) Fencing.

*Fencing in residential developments shall not exceed ~~six~~ seven feet in height in the rear and side yards, and four feet in the front yard*

- Section 17-7-9.12.1.7 Retail/office/flex and mixed-use landscaping. (A) (5) Residential buffer.

- (b) Fully sight-obscuring fence.

*The planning commission shall require complete visual separation from residential uses if it determines that complete screening is necessary to protect abutting uses, and landscaping is not practical. ~~Such fence must be six feet high~~ Such fence must be a minimum of six feet high (up to eight feet if warranted and approved by the planning commission) and completely sight-obscuring. Fences may be of wood, metal, bricks, masonry or other permanent materials*

- Section 17-7-9.12.1.8 Retail/office/flex and mixed-use architectural standards (C)

- ~~c. No fence, hedge, or wall may be placed nearer than six inches to any public sidewalk.~~

- Section 17-7-9.12.1.8 Retail/office/flex and mixed-use architectural standards. (C) Fences, Hedges, and Walls. (2) Height.

*No fence structures may exceed ~~six~~ seven feet in height, four feet in height from the front of the primary structure forward, or three feet in the sight distance triangle*

- Table 17-7-9.12.1.8 Architectural Standards

Materials	Configurations	Techniques
<i>Yard Walls &amp; Fences: Shall be of materials and color complementary to the building's materials.</i>	<p>Max. height on lot is 6' 7". Max. height from front of primary structure forward is 4'.</p> <p>Max. height in site distance triangle is 3'.</p>	Masonry wall shall be at least 8" thick and capped by a weather protection top course.

## **Chapter 17-7-9.12.2 The Junction at Midvale Zone**

– Section 17-7-9.12.2.3 Uses

Subarea 2 – Urban

*Fences, 6' 7" or less – Allowed*

*Fences, 6' 7" or more – Administrative Conditional Use Permit (ACUP)*

Subarea 2 – Mixed-Use

*Fences, 6' 7" or less – Allowed*

*Fences, 6' 7" or more – Administrative Conditional Use Permit (ACUP)*

Subarea 3 – Residential

*Fences, 6' 7" or less – Allowed*

Subarea 3 – Urban

*Fences, 6' 7" or less – Allowed*

*Fences, 6' 7" or more – Administrative Conditional Use Permit (ACUP)*

Subarea 3 – Mixed-Use

*Fences, 6' 7" or less – Allowed*

*Fences, 6' 7" or more – Administrative Conditional Use Permit (ACUP)*

Subarea 4 – Residential

*Fences, 6' 7" or less – Allowed*

Subarea 4 – Urban

*Fences, 6' 7" or less – Allowed*

*Fences, 6' 7" or more – Administrative Conditional Use Permit (ACUP)*

Subarea 4 – Mixed-Use

*Fences, 6' 7" or less – Allowed*

*Fences, 6' 7" or more – Administrative Conditional Use Permit (ACUP)*

Subarea 5 – Urban

*Fences, 6' 7" or less – Allowed*

*Fences, 6' 7" or more – Administrative Conditional Use Permit (ACUP)*

Subarea 5 – Mixed-Use

*Fences, 6' 7" or less – Allowed*

*Fences, 6' 7" or more – Administrative Conditional Use Permit (ACUP)*

Subarea 6 – Mixed-Use

*Fences, 6' 7" or less – Allowed*

*Fences, 6' 7" or more – Administrative Conditional Use Permit (ACUP)*

– Section 17-7-9.12.2.5 Medium and high density residential development. (G) Fencing.

*Fencing in residential developments shall not exceed ~~six~~ seven feet in height in the rear and side yards.*

*Fencing up to eight feet in height may be allowed in the side(s) or rear yard provided one of the following requirements are met:*

*a) The side(s) or rear property is adjacent to a freeway system or arterial or collector roadway.*

*b) Buffering between commercial / industrial uses and residential uses or between single-family and multi-family residential uses.*

*c) Demonstration of safety and/or security matters.*

*Fencing eight feet in height shall comply with the following conditions:*

*i. The proposed fence shall be reasonably compatible with respect to height from adjacent fences and shall transition consistently from one segment of fence to another.*

*ii. The proposed fence shall be reasonably compatible with respect to materials from adjacent fences and shall propose materials and colors that are consistent and similar.*

*iii. A building permit shall be obtained from the City and construction of fences and retaining walls must meet applicable requirements of the building codes.*

– Section 17-7-9.12.2.7 Retail/office/flex and mixed-use architectural. (C) Fences, hedges and walls. (1)

~~c. No fence, hedge, or wall may be placed nearer than six inches to any public sidewalk.~~

– Section 17-7-9.12.2.7 Retail/office/flex and mixed-use architectural. (C) Fences, hedges, and walls. (2) Height.

*No fence structures may exceed ~~six~~ seven feet in height except as needed for screening purposes in accordance with subsection (1) of this section*

– Section 17-7-9.12.2.8 Retail/office/flex and mixed-use landscaping. (7) Residential buffer. (c) Fully sight-obscuring fence.

*The planning commission may require complete visual separation from residential uses if it determines that complete screening is necessary to protect abutting uses, and the required landscaped buffer is not practical. ~~Such fence must be six feet high~~ Such fence must be a minimum of six feet high (up to eight feet if warranted and approved by the planning commission) and completely sight-obscuring. Fences may be of wood, metal, bricks, masonry or other permanent materials*

## **Chapter 17-7-9.12.3 Silver Refinery Overlay**

- Section 17-7-9.12.3.4 Uses.

### Urban Use Type

*Fences, 6' 7" or less – Allowed*

*Fences, 6' 7" or more – Administrative Conditional Use Permit (ACUP)*

### Residential Use Type

*Fences, 6' 7" or less – Allowed*

- Section 17-7-9.12.3.6 Medium density residential development standards for single-family attached and multi-family development. (F) Fencing.

*Fencing in residential developments shall not exceed ~~six~~ seven feet in height in the rear and side yards.*

*Fencing up to eight feet in height may be allowed in the side(s) or rear yard provided one of the following requirements are met:*

- a) The side(s) or rear property is adjacent to a freeway system or arterial or collector roadway.*
- b) Buffering between commercial / industrial uses and residential uses or between single-family and multi-family residential uses.*
- c) Demonstration of safety and/or security matters.*

*Fencing eight feet in height shall comply with the following conditions:*

- i. The proposed fence shall be reasonably compatible with respect to height from adjacent fences and shall transition consistently from one segment of fence to another.*
- ii. The proposed fence shall be reasonably compatible with respect to materials from adjacent fences and shall propose materials and colors that are consistent and similar.*
- iii. A building permit shall be obtained from the City and construction of fences and retaining walls must meet applicable requirements of the building codes.*

- Section 17-7-9.12.3.7 Medium density residential development standards for single-family detached development. (E) Interior Fencing.

*Interior fencing is considered a design element of the overall project. All interior fencing, including location, type and height, shall be reviewed and approved by the planning commission as part of the site review process. Interior fencing shall not exceed ~~six~~ seven feet in height. Fencing up to eight feet in height may be allowed in the side(s) or rear yard provided one of the following requirements are met:*

- a) The side(s) or rear property is adjacent to a freeway system or arterial or collector roadway.*
- b) Buffering between commercial / industrial uses and residential uses or between single-family and multi-family residential uses.*
- c) Demonstration of safety and/or security matters.*

*Fencing eight feet in height shall comply with the following conditions:*

- i. The proposed fence shall be reasonably compatible with respect to height from adjacent fences and shall transition consistently from one segment of fence to another.*
- ii. The proposed fence shall be reasonably compatible with respect to materials from adjacent fences and shall propose materials and colors that are consistent and similar.*
- iii. A building permit shall be obtained from the City and construction of fences and retaining walls must meet applicable requirements of the building codes.*

- Section 17-7-9.12.3.9 Commercial and mixed use architectural standards. (C) Fences, Hedges, and Walls. (1)

*e. No fence, hedge, or wall may be placed nearer than six inches to any public sidewalk.*

- Section 17-7-9.12.3.9 Commercial and mixed use architectural standards. (C) Fences, Hedges, and Walls. (2) Height.

*No fence structures may exceed ~~six~~ seven feet in height except as needed for screening purposes in accordance with subsection (1) of this section*

- Section 17-7-9.12.3.10 Commercial and mixed-use landscaping. (A) (6) Residential buffer. (c) Fully sight-obscuring fence.

*The planning commission may require complete visual separation from residential uses if it determines that complete screening is necessary to protect abutting uses, and the required landscaped buffer is not practical. In such instances, the planning commission shall determine the appropriate width and type of landscaping to be used in conjunction with a completely sight-obscuring fence of at least ~~six feet in height~~ six feet high (up to eight feet if warranted and approved by the planning commission). Fences may be of wood, metal, bricks, masonry or other permanent materials.*

## **Chapter 17-7-10 Jordan Bluffs Zone (JB)**

– Section 17-7-10.3 Uses.

Subarea 1 – Residential

*Fences, 6' 7" or less – Allowed*

Subarea 1 – Mixed-Use

*Fences, 6' 7" or less – Allowed*

*Fences, 6' 7" or more – Administrative Conditional Use Permit (ACUP)*

Subarea 2 – Residential

*Fences, 6' 7" or less – Allowed*

Subarea 2 – Mixed-Use

*Fences, 6' 7" or less – Allowed*

*Fences, 6' 7" or more – Administrative Conditional Use Permit (ACUP)*

Subarea 3 – Residential

*Fences, 6' 7" or less – Allowed*

Subarea 3 – Urban (Office/Retail/Flex)

*Fences, 6' 7" or less – Allowed*

*Fences, 6' 7" or more – Administrative Conditional Use Permit (ACUP)*

Subarea 4 – Residential

*Fences, 6' 7" or less – Allowed*

Subarea 4 – Urban (Office/Retail/Flex)

*Fences, 6' 7" or less – Allowed*

*Fences, 6' 7" or more – Administrative Conditional Use Permit (ACUP)*

– Section 17-7-10.9 (B) (2) Administrative Conditional Use. (d) Fences greater than six ~~seven~~ feet in height.

i. *The applicant must demonstrate that a fence greater than six ~~seven~~ feet in height is necessary to better promote public health, safety, welfare, and aesthetic quality in the area and the height requested is the minimum necessary to achieve this.*

ii. *The fence design, i.e., materials, color, features, height, must be compatible with the associated development in terms of theme, architecture and function. All barbed wire or other sharp, pointed, or electrically charged fences are prohibited.*

iii. *Fences shall comply with all requirements for fences less than or equal to six ~~seven~~ feet in height with regard to location and construction.*

## Chapter 17-7-11 Historic Commercial Zone (HC)

- Section 17-7-11.2 Uses.

Table 17-7-11.2

Type	Allowed	Administrative	Conditional
Fences—Single Family/Duplex Uses ≤ 7' or less > 7'	X	X	
Fences—Commercial/Mixed Use/Multi-Family Uses			X

- Table 17-7-11.6 Architectural Standards

Materials	Configurations	Techniques
Yard Walls & Fences: Shall be of materials and color complementary to the building's materials.	Max. height on lot is ≤ 7'. Max. height from front of primary structure forward is 4'. Max. height in clear view triangle is 3'.	Masonry wall shall be at least 8" thick and capped by a weather protection top course.

- Section 17-7-11.8 (B) Conditional Uses. (c) Fences for Commercial, Mixed Use and Multi-family developments.

*Each application for a fence within a commercial, mixed use or multi-family development must comply with the following:*

- i. The applicant must demonstrate that the fence is an integral part of the development's design and function.*
- ii. The fence design, i.e., materials, color, features, height, must be compatible with the associated development in terms of theme, architecture and function. All barbed wire or other sharp, pointed, or electrically charged fences are prohibited.*
- iii. Fences shall be located on private property and entirely within the property lines of the property they are intended to serve. No fence shall extend beyond or across a property line, unless there is a recorded agreement with the abutting property owner. ~~No fence may be placed nearer than six inches to any public sidewalk.~~ A survey and site plan shall be provided to show the proposed fence location.*
- iv. Only one fence or wall shall be allowed per property line. Double fences, walls or a combination thereof are prohibited.*

v. Fences shall be designed to promote natural surveillance through properties for crime prevention. Solid fences are discouraged in most areas, unless the applicant can demonstrate a solid fence is in the best interest of the community.

vi. Fences shall not be constructed in such a manner as to prohibit emergency vehicle access, pedestrian access, standard size parking spaces and drive aisle widths, and adequate circulation for pedestrians and vehicles.

vii. Fences shall not create pedestrian or vehicular access issues for abutting properties and uses.

viii. Clear view areas shall be maintained at all intersections and driveways.

ix. Fences shall meet the requirements of the National Building Code.

x. Fences used solely for the screening of dumpsters and building mechanical equipment are allowed. Temporary fencing on a construction site is allowed during the period of construction.

- Section 17-7-11.8 (B) (2) Administrative Conditional Use. (b) Fences greater than ~~six~~ seven feet in height.

i. The applicant must demonstrate that a fence greater than ~~six~~ seven feet in height is necessary to better promote public health, safety, welfare, and aesthetic quality in the area and the height requested is the minimum necessary to achieve this.

ii. The fence design, i.e., materials, color, features, height, must be compatible with the associated development in terms of theme, architecture and function. All barbed wire or other sharp, pointed, or electrically charged fences are prohibited.

iii. Fences shall comply with all requirements for fences less than or equal to ~~six~~ seven feet in height with regard to location and construction.

## Chapter 17-7-12 Regional Commercial Zone (RC)

- Section 17-7-12.2 Uses.

Table 17-7-12.2

Fences, 6' 7' or less – Allowed

Fences, 6' 7' or more – Administrative Conditional Use Permit (ACUP)

- Section 17-7-12.4 Architectural Standards. (C) Fences, Hedges, and Walls. (1)  
~~c. No fence, hedge, or wall may be placed nearer than six inches to any public sidewalk.~~

– Section 17-7-12.4 Architectural Standards. (C) Fences, Hedges, and Walls. (2) Height.  
*No fence or wall may exceed six seven feet in height, four feet in height from the front of the primary structure forward, or three feet in the sight distance triangle*

- Table 17-7-12.4 Architectural Standards.

Materials	Configurations	Techniques
Yard Walls & Fences: Shall be of materials and color complementary to the building's materials.	Max. height on lot is 6' 7'. Max. height from front of primary structure forward is 4'. Max. height in clear view triangle is 3'.	Masonry wall shall be at least 8" thick and capped by a weather protection top course.

– Section 17-7-12.6 Landscaping. (A) (8) Residential buffer. (b) Fully sight-obscuring fence.  
*The planning commission shall require complete visual separation from residential uses if it determines that complete screening is necessary to protect abutting uses, and landscaping is not practical. ~~Such fence must be six feet high~~ Such fence must be a minimum of six feet high (up to eight feet if warranted and approved by the planning commission) and completely sight-obscuring. Fences may be of wood, metal, bricks, masonry or other permanent materials*

- Table 17-7-12.6. Landscaping Requirements.

Area	Requirement	Specifications
Residential Buffer	30' between residential and commercial uses	<ul style="list-style-type: none"> <li>• Minimum 1 tree for every 250 s.f. of buffer area</li> <li>• Minimum 6' masonry wall between commercial and residential uses</li> </ul>

- Section 17-7-12.9 (B) (2) Administrative Conditional Use. (c) Fences greater than ~~six~~ seven feet in height.

*i. The applicant must demonstrate that a fence greater than six feet in height is necessary to better promote public health, safety, welfare, and aesthetic quality in the area and the height requested is the minimum necessary to achieve this.*

*ii. The fence design, i.e., materials, color, features, height, must be compatible with the associated development in terms of theme, architecture and function. All barbed wire or other sharp, pointed, or electrically charged fences are prohibited.*

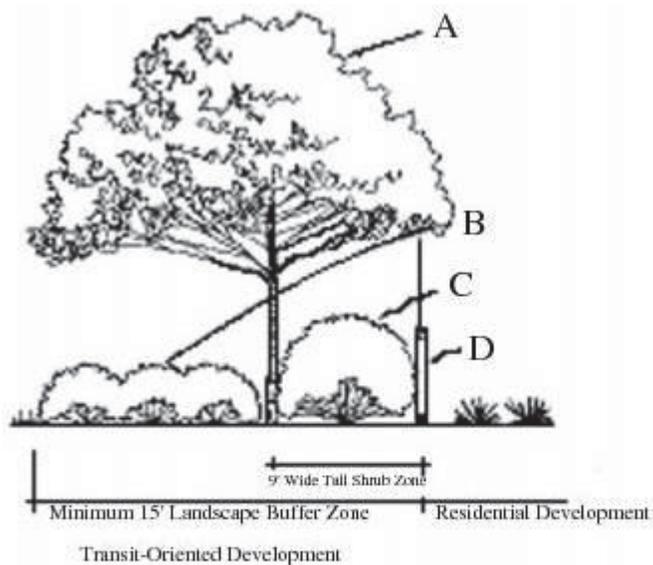
*iii. Fences shall comply with all requirements for fences less than or equal to ~~six~~ seven feet in height with regard to location and construction.*

## **Chapter 17-7-12.1 Regional Commercial Residential Overlay**

- Section 17-7-12.1.3 Medium and high density residential and mixed-use development standards. (4) (b)

*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.~~ **minimum seven foot high fence (up to eight feet if warranted and 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*

### **Residential 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~~  
**Minimum seven foot high fence (up to eight feet if warranted and approved by the planning commission)**

## Chapter 17-7-13 Clean Industrial Zone (CI)

- Section 17-7-13.2 Uses.

Table 17-7-13.2

Fences, 6' 7" or less – Allowed

Fences, 6' 7" or more – Administrative Conditional Use Permit (ACUP)

- Section 17-7-13.4 Architectural standards. (C) Fences, Hedges and Walls. (1)  
~~c. No fence, hedge, or wall may be placed nearer than six inches to any public sidewalk.~~

– Section 17-7-13.4 Architectural standards. (C) Fences, Hedges and Walls. (2) Height.  
*No fence or wall may exceed six seven feet in height, four feet in height from the front of the primary structure forward, or three feet in the sight distance triangle*

- Table 17-7-13.4 Architectural standards.

Materials	Configurations	Techniques
Yard Walls & Fences: Shall be of materials and color complementary to the building's materials.	Max. height on lot is 6' 7". Max. height from front of primary structure forward is 4'. Max. height in clear view triangle is 3'.	Masonry wall shall be at least 8" thick and capped by a weather protection top course.

– Section 17-7-13.6 Landscaping. (A) (8) Residential Buffer. (b) Fully sight-obscuring fence.  
*The planning commission shall require complete visual separation from residential uses if it determines that complete screening is necessary to protect abutting uses, and landscaping is not practical. Such fence must be a minimum of six feet high (up to eight feet if warranted and approved by the planning commission) and completely sight-obscuring. Fences may be of wood, metal, bricks, masonry or other permanent materials*

- Table 17-7-13.6 Landscaping Requirements.

Area	Requirement	Specifications
Residential Buffer	30' between residential and commercial uses	<ul style="list-style-type: none"> <li>• Minimum 1 tree for every 250 s.f. of buffer area</li> <li>• Minimum 6' masonry wall between commercial and residential uses</li> </ul>

– Section 17-7-13.9 (B) (2) Administrative Conditional Use. (c) Fences greater than ~~six~~ seven feet in height.

*i. The applicant must demonstrate that a fence greater than ~~six~~ seven feet in height is necessary to better promote public health, safety, welfare, and aesthetic quality in the area and the height requested is the minimum necessary to achieve this.*

*ii. The fence design, i.e., materials, color, features, height, must be compatible with the associated development in terms of theme, architecture and function. All barbed wire or other sharp, pointed, or electrically charged fences are prohibited.*

*iii. Fences shall comply with all requirements for fences less than or equal to ~~six~~ seven feet in height with regard to location and construction.*

## **Chapter 17-7-15 State Street Overlay Zone (SSOZ)**

- Section 17-7-15.3 Use tables.

Table 17-7-15.3

*Fences, 6' 7" or less – Allowed*

*Fences, 6' 7" or more – Administrative Conditional Use Permit (ACUP)*

- Section 17-7-15.6 General architecture standards. (E) (1)

~~c. No fence, hedge, or wall is placed nearer than six inches to any public sidewalk.~~

- Section 17-7-15.6 General architecture standards for State Street overlay. (E) Fences, Hedges, and Walls. (2) Height.

*No fence or wall may exceed six seven feet in height, four feet in height from the front of the primary structure forward, nor three feet in the clear view triangle*

- Table 17-7-15.6 Architectural Standards.

<b>Materials</b>	<b>Configurations</b>	<b>Techniques</b>
<b>Yards</b>		
<i>Yard Walls &amp; Fences: Shall be of materials and color complementary to the building's materials.</i>	<i>Max. height from front of primary structure forward is 4'. Max. height in clear view triangle is 3'. Max. height on lot is 6' 7'.</i>	<i>When a masonry wall is constructed, it shall be at least 8" in thickness and be capped by a top course suitable for weather protection.</i>

- Section 17-7-15.7 General landscaping requirements for the State Street overlay. (E) Residential Buffer. (2) Fully sight-obscuring fence.

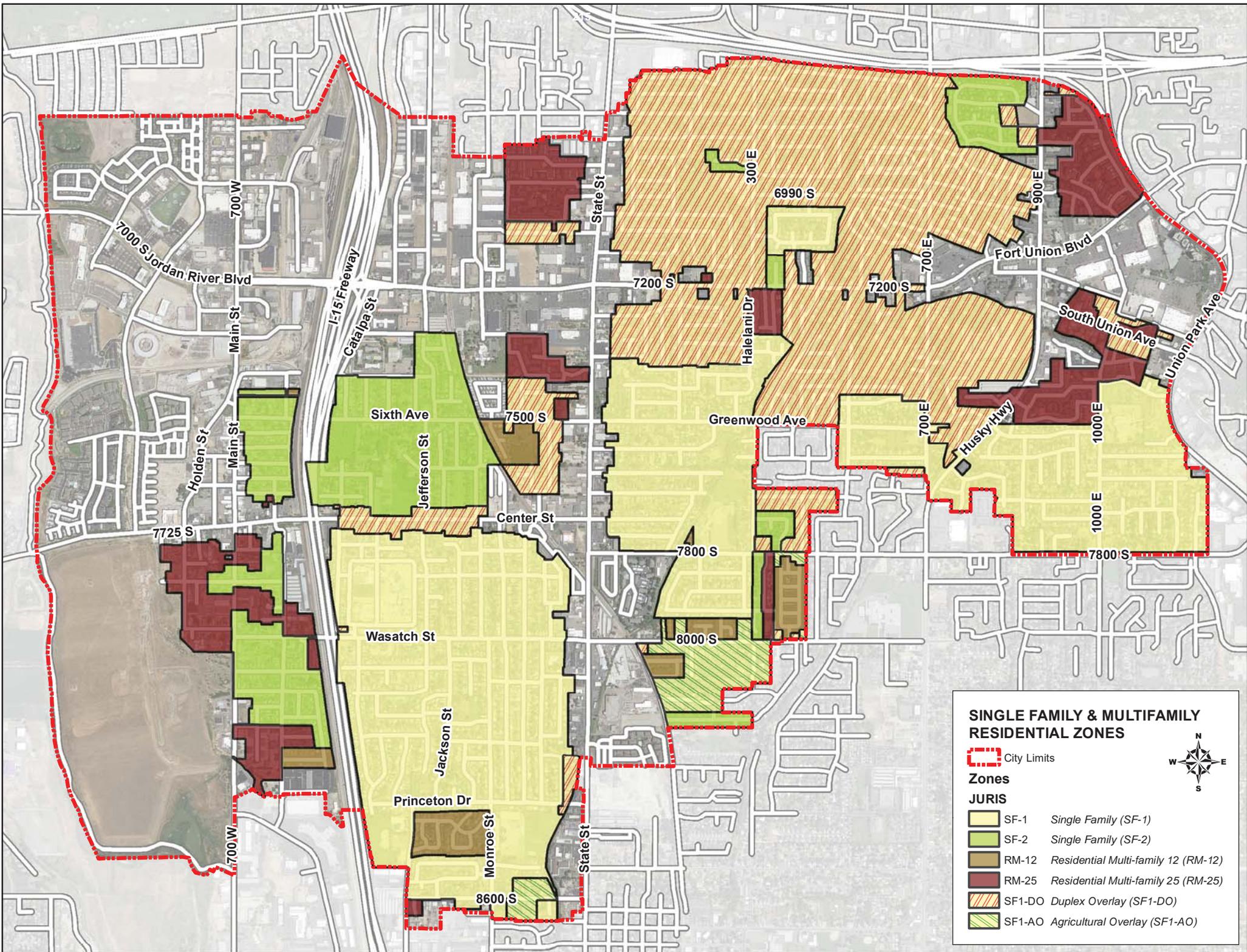
*The land use authority shall require complete visual separation from residential uses if it determines that complete screening is necessary to protect abutting uses, and landscaping is not practical. ~~Fencing used for this purpose must be six feet high~~ Such fence must be a minimum of six feet high (up to eight feet if warranted and approved by the planning commission) and completely sight-obscuring. Fences may be of wood, metal, bricks, masonry or other permanent materials.*

- Section 17-7-15.12 (B) (2) Administrative Conditional Use. (f) Fences greater than six seven feet in height.

*i. The applicant must demonstrate that a fence greater than six seven feet in height is necessary to better promote public health, safety, welfare, and aesthetic quality in the area and the height requested is the minimum necessary to achieve this.*

*ii. The fence design, i.e., materials, color, features, height, must be compatible with the associated development in terms of theme, architecture and function. All barbed wire or other sharp, pointed, or electrically charged fences are prohibited.*

iii. Fences shall comply with all requirements for fences less than or equal to ~~six~~ seven feet in height with regard to location and construction.



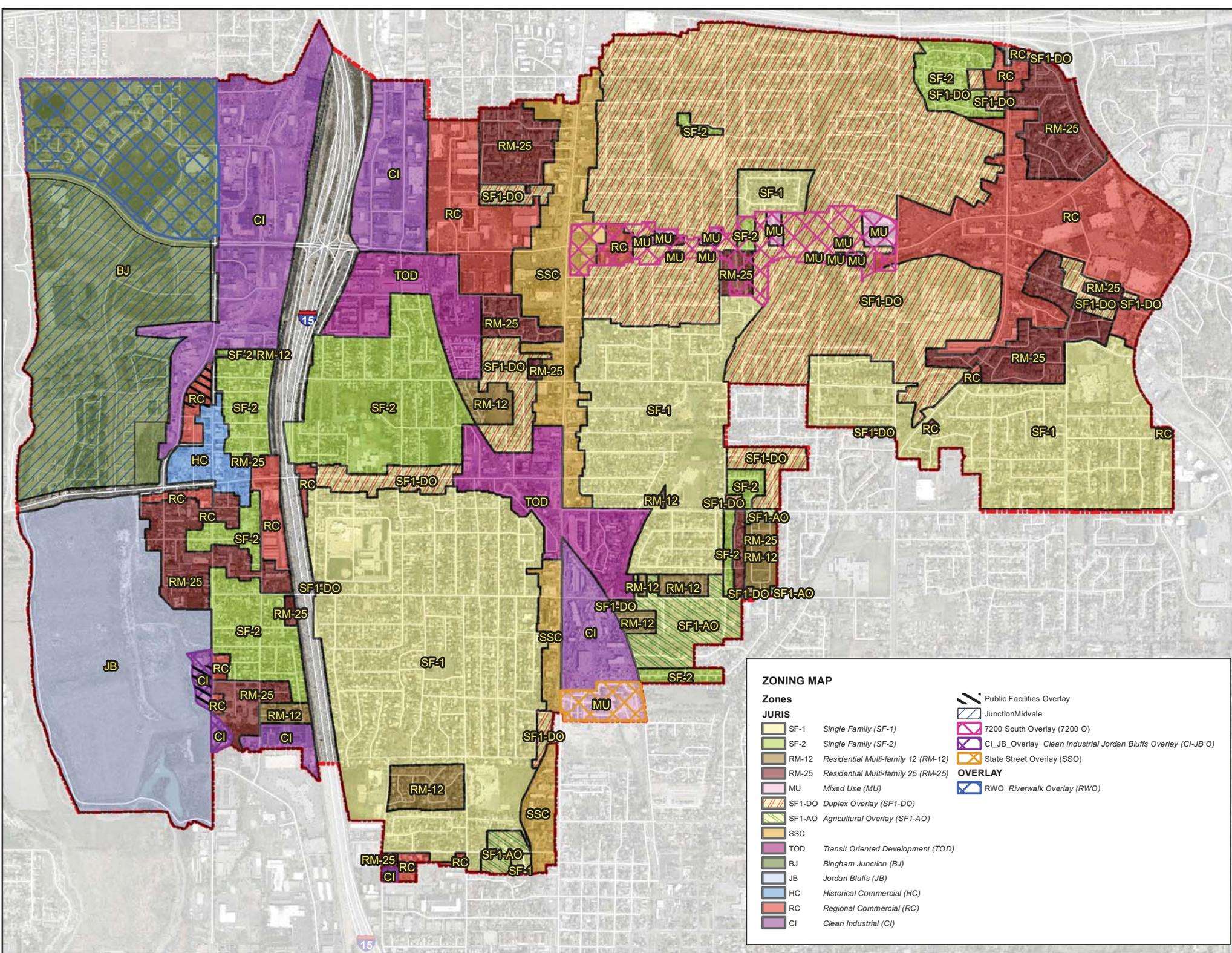
### SINGLE FAMILY & MULTIFAMILY RESIDENTIAL ZONES

City Limits

**Zones**

**JURIS**

	SF-1	Single Family (SF-1)
	SF-2	Single Family (SF-2)
	RM-12	Residential Multi-family 12 (RM-12)
	RM-25	Residential Multi-family 25 (RM-25)
	SF1-DO	Duplex Overlay (SF1-DO)
	SF1-AO	Agricultural Overlay (SF1-AO)



**ZONING MAP**

- |   |  |
|---|--|
| <b>Zones</b>                              | Public Facilities Overlay                                      |
| <b>JURIS</b>                              | JunctionMidvale  |
| SF-1 Single Family (SF-1)                 | 7200 South Overlay (7200 O)                                    |
| SF-2 Single Family (SF-2)                 | CI_JB_Overlay Clean Industrial Jordan Bluffs Overlay (CI-JB O) |
| RM-12 Residential Multi-family 12 (RM-12) | State Street Overlay (SSO)                                     |
| RM-25 Residential Multi-family 25 (RM-25) | <b>OVERLAY</b>   |
| MU Mixed Use (MU)                         | RWO Riverwalk Overlay (RWO)                                    |
| SF1-DO Duplex Overlay (SF1-DO)            |  |
| SF1-AO Agricultural Overlay (SF1-AO)      |  |
| SSC                                       |  |
| TOD Transit Oriented Development (TOD)    |  |
| BJ Bingham Junction (BJ)                  |  |
| JB Jordan Bluffs (JB)                     |  |
| HC Historical Commercial (HC)             |  |
| RC Regional Commercial (RC)               |  |
| CI Clean Industrial (CI)                  |  |



## MIDVALE CITY COUNCIL SUMMARY REPORT

Meeting Date: October 18, 2016

---

**SUBJECT:** Resolution Appointing Garrett Wilcox as the  
Midvale Deputy City Attorney

**SUBMITTED BY:** Lisa Garner, City Attorney

**SUMMARY:**

As discussed previously with the City Council, Garrett Wilcox has passed the Utah State Bar and has been sworn in as an Attorney. Garrett has been serving as a legal intern for the City and done an excellent job. He is more than qualified and has proven to be a great asset to the City. The City Attorney recommends the appointment of Mr. Garrett Wilcox as the Deputy City Attorney for Midvale City. A resolution has been prepared for the Council consideration.

---

**STAFF'S RECOMMENDATION AND MOTION:** I move that we approve  
Resolution No. 2016-R-37 Appointing Garrett Wilcox as the Deputy City  
Attorney for Midvale City.

**Attachments:** Proposed Resolution

**MIDVALE CITY, UTAH  
RESOLUTION NO. 2016-R-37**

**A RESOLUTION APPOINTING GARRETT WILCOX AS THE  
MIDVALE CITY DEPUTY CITY ATTORNEY**

**WHEREAS**, the Mayor is authorized to appoint, with the advice and consent of the City Council, a qualified person to serve as the Deputy City Attorney; and

**WHEREAS**, the Mayor has sought the advice and consent of the City Council concerning such appointment; and

**WHEREAS**, the Mayor desires to appoint Garrett Wilcox as the Deputy City Attorney; and

**WHEREAS**, the City Council desires to consent to this appointment,

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

**Section 1.** The City Council hereby confirm the City Manager’s appointment of Garrett Wilcox as the Deputy City Attorney.

**Section 2.** This Resolution shall take effect immediately.

**APPROVED AND ADOPTED** this 18<sup>th</sup> day of October, 2016.

\_\_\_\_\_  
JoAnn B. Seghini, Mayor

ATTEST:

\_\_\_\_\_  
Rori L. Andreason, MMC  
City Recorder

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



## **MIDVALE CITY COUNCIL SUMMARY REPORT**

**Meeting Date: October 18, 2016**

---

### **SUBJECT:**

Adoption of Ordinance No. 2016-O-14, an ordinance adopting the Midvale City General Plan 2016

---

### **SUBMITTED BY:**

Lesley Burns, City Planner

### **SUMMARY:**

During the City Council Workshop Meeting on October 11, 2016, the City Council reviewed the proposed General Plan document as well as the written comments received since the Council's public hearing held on September 20, 2016. The City Council requested some modification to the language regarding future State Street land use goals and inclusion of a recreation center in the Parks, Recreation and Open Space goals. These modifications have been made (see attachment showing how the language was changed) and incorporated into the final "Midvale City General Plan 2016" document.

Staff has prepared an ordinance for the Council's consideration. This ordinance would repeal the City's current General Plan from May 2000 and adopt the "Midvale City General Plan 2016" as the guiding policy document for land development and related decisions.

### **FISCAL IMPACT:**

N/A

---

### **STAFF RECOMMENDATION:**

Staff recommends that the City Council adopts Ordinance No. 2016-O-14 as presented.

---

### **RECOMMENDED MOTION:**

"I move that we adopt Ordinance No. 2016-O-14, adopting the Midvale City General Plan 2016, as presented."

**ATTACHMENTS:**

- Tracked requested changes to proposed General Plan document
- Proposed Ordinance No. 2016-O-14

### **East Gateway Goals:**

Future land use goals for the East Gateway Opportunity Area include:

1. Provide for higher density housing options and taller buildings in the area around the TRAX station
2. Develop a small area plan for the development near the TRAX station
3. Strengthen the retail areas by diversifying the mix of retail and adding more destination and experience shops
4. Enhance 7200 South with urban design standards and safer pedestrian crossings
5. Provide and implement new bike routes to complete transportation connections to other areas in the City
6. Support redevelopment of underutilized properties to provide attractive commercial/light industrial flex spaces.
7. Work with UDOT to provide enhanced pedestrian access and improvements along 7200 South near the I-15 interchange

### **North State Street**

The North State Street Opportunity Area is generally bounded by the City boundary on the north and approximately 7300 South on the south. The center of the area is the State Street/7200 South intersection. The east-west extent of the Opportunity Area varies, but the boundary is intended to encompass properties that either front on or have direct access to State Street. The primary uses in the North State Street Opportunity Area include retail commercial complexes at the intersection of 7200 South and State Street; multi-family residential complexes on the west side of State Street north of 7200 South; and underutilized commercial properties along State Street. The North State Street area is strategically located on the intersection of two major arterial roadways and a short distance from access to I-15 and I-215. The 7200 South TRAX station is located at approximately 180 West 7200 South adjacent to the western edge of the area, offering excellent transit accessibility. A stable single family residential neighborhood abuts the North State Street Opportunity Area to the east.

### **Goals:**

Future land use goals for the North State Street Area include:

1. Support development of higher-value commercial and business uses through the development of mixed-use and higher density residential uses
- ~~1.2. Support and encourage development of additional higher density residential uses to take advantage of transit and transportation opportunities, and to support local commercial development~~
- ~~2. Support development of mixed residential/commercial uses~~
3. Support redevelopment of underutilized parcels, particularly those fronting on 7200 South and State Street
4. Explore the potential for unifying urban-design elements and beautification of the area
5. Employ design elements to buffer the effects of higher intensity uses in the Opportunity Area on adjacent existing residential uses

### **Middle State Street**

The Middle State Street Opportunity Area is generally bounded by 7300 South on the north and approximately 7900 South on the south. The east-west extent of the Opportunity Area varies, but the boundary is intended to encompass properties that front on or have direct access to State Street, as well as incorporates the Center Street TRAX station. The area includes underutilized commercial uses facing State Street with limited parking.

### **Goals:**

Future land use goals for the Middle State Street Area include:

1. Support development of higher-value commercial and business uses through the development of mixed-use and higher density residential uses ~~mixed residential/commercial uses~~
2. Develop a small area plan for the development near the TRAX station
3. Support and encourage development of additional higher density residential uses to take advantage of transit and transportation opportunities

~~and support local commercial development~~

~~Develop a small area plan for the development near the TRAX station~~

~~Support development of mixed residential/commercial uses~~

- ~~1-4.~~ Focus commercial and mixed-use development at the nodes of 7500 South and 7720/7800 South
- ~~2-5.~~ Support redevelopment of the underutilized commercial properties between the commercial nodes into mixed-use residential development
- ~~3-6.~~ Explore the potential for unifying urban-design elements and beautification of the area
- ~~4-7.~~ Employ design elements to buffer the effects of higher intensity uses in the core areas on adjacent existing residential uses
- ~~5-8.~~ Strengthen pedestrian connections to the Center Street TRAX Station

### South State Street

The South State Street Opportunity Area is generally bounded by 7900 South on the north and the southern City boundary on the south, and the TRAX line on the east. The west extent of the Opportunity Area varies, but the boundary is intended to encompass properties that either front on or have direct access to State Street. The area includes existing industrial uses on the east side of State Street; stacked condos/townhomes at approximately 8250 South State Street; and used car lots on the west side of State Street.

#### Goals:

Future land use goals for the South State Street Area include:

1. Support development of higher-value commercial and business uses through the development of mixed-use and higher density residential uses ~~additional higher density residential uses to support commercial nodes~~
2. Make the 8000 South State Street intersection a commercial node  
~~Support development of mixed use residential/commercial uses~~
3. Support redevelopment of underutilized parcels
4. Explore the potential for unifying urban-design elements and beautification of the area
5. Strengthen pedestrian connections along State Street to the Center Street TRAX Station access on State Street just north of 8000 South
6. Enhance pedestrian connections east/west across State Street
7. Employ design elements to buffer the effects of higher intensity uses in the core areas on adjacent existing residential uses

### 7200 South

The 7200 South Opportunity Area is an approximately 600 to 800 foot wide corridor centered on 7200 South east of State Street to 700 East. The area is characterized by a variety of retail on the western end adjacent to State Street, transitioning into housing and new office developments further east. Part of the 7200 South Opportunity Area borders Fire Station Park to the south and includes a Fire Station. The housing in the area is primarily single-family homes, with some apartments adjacent to 7200 South, condominiums next to Union Park, and some newer town

# Parks and Recreation

**Vision: Midvale continues to provide and improve parks, recreation, active transportation routes, and open space facilities as important assets of an active community. Midvale is also an important recreation and active transportation destination along the Jordan River Parkway.**

## Introduction

The combined areas of parks, school fields and church open spaces total approximately 192 acres in Midvale. There are also approximately 365 acres of vacant/undeveloped land in the City, the largest of which is Jordan Bluffs (268 acres). The remaining 97 acres are primarily in small parcels interspersed throughout the developed areas of the City. To the extent possible, recreation facilities are anticipated to be part of the future development of Jordan Bluffs, and some of the smaller parcels could be available for future park needs. During the plan development process, residents expressed a desire for access to additional and expanded parks and recreational facilities. A desire for improved connections between neighborhoods and existing parks and recreational facilities was also expressed.

## Goals

A long-term goal for Midvale is to seek opportunities for more park and open space and recreation facilities while improving and increasing the connectivity of the parks system with neighborhoods through additional walking, and biking trails and connections. Specific goals for parks, recreation and trails include:

1. Provide additional park acreage within underserved residential neighborhoods through neighborhood and mini park development on vacant or underutilized land
2. Improve non-motorized neighborhood access to City parks and recreation facilities with sidewalks, trails and pedestrian ways
3. Explore new partnering opportunities with Salt Lake County and other recreation activity and program providers to expand access to parks and recreation facilities and programs for Midvale residents through shared facilities and jointly-sponsored recreation programs
4. Update and implement the Midvale 2004 Trails Master Plan to provide an interconnected trails network in the City
5. Improve community connections to the Jordan River Parkway, such as the connection to Murray to the north and Jordan River Boulevard
6. Explore opportunities to improve physical access to parks and recreation facilities outside Midvale City limits
7. Explore opportunities for a new Community [Recreation](#) Center in Midvale through options such as bonding, special recreation districts, partnerships between the City and County or between public and private entities, and general fund sources
8. Develop parks, trails, and outdoor recreation facilities in an environmentally sensitive manner to help protect and enhance the natural environment
9. Continue to require appropriate private recreation facilities in new housing developments

## Chapter 4. Our Commitment

---

**ORDINANCE NO. 2016-O-14**

**AN ORDINANCE ADOPTING THE MIDVALE CITY GENERAL PLAN 2016;  
ALSO PROVIDING A SAVING CLAUSE AND AN EFFECTIVE DATE FOR THE  
ORDINANCE.**

**WHEREAS**, Section 10-9a-401 Utah State Code requires that municipalities prepare and adopt a comprehensive, long-range plan; and

**WHEREAS**, on May 2, 2000, the City adopted the “Midvale City General Plan, May 2000”, which was updated with current demographic data in 2003; and

**WHEREAS**, since the adoption of the General Plan in 2000, the City has undergone significant growth in some areas and seen significant changes being made in the surrounding area; and

**WHEREAS**, the City recognized the need to re-evaluate its vision and goals based on this changing dynamic through input from its residents, business owners, property owners and other stakeholders; and

**WHEREAS**, the Midvale City General Plan 2016 process included various forms of public involvement through interviews, public events, neighborhood block parties, workshops, open houses and public hearings; and

**WHEREAS**, the Midvale City General Plan 2016 process included the review of existing studies, plans, policies, ordinances and implementation strategies, as well as an analysis of the current physical, cultural, demographic and economic conditions of the City; and

**WHEREAS**, following appropriate notice being provided pursuant to Section 10-9a-204 Utah State Code, the Midvale City Planning Commission held a public hearing on the proposed General Plan on June 22, 2016; and

**WHEREAS**, on July 27, 2016, the Midvale City Planning Commission forwarded the proposed Midvale City General Plan 2016 to the Midvale City Council; and

**WHEREAS**, on September 20, 2016, the Midvale City Council held a public hearing on the Planning Commission’s recommendation for the proposed General Plan, receiving additional public input; and

**WHEREAS**, after considering the Planning Commission’s recommendation and additional public input, the City Council found it appropriate to make a few revisions to the proposed General Plan.

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

follows:

Section 1. The “Midvale City General Plan, May 2000” which was updated in 2003, shall be repealed

Section 2. The “Midvale City General Plan 2016” shall be adopted as included in Exhibit A, herein.

Section 3. 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 4. 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	_____	_____

**“EXHIBIT A”**  
(Ordinance No. 2016-O-14)