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

MIDVALE CITY COUNCIL MEETING
AGENDA
November 01, 2016
Amended

PUBLIC NOTICE IS HEREBY GIVEN that the **Midvale City Council** will hold a regular meeting on the **1st Day of November, 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 Wayne Sharp
- B. Councilmember Stephen Brown
- C. Councilmember Paul Glover
- D. Councilmember Paul Hunt
- E. Councilmember Quinn Sperry

VI. MAYOR REPORT
- A. Mayor JoAnn B. Seghini

VII. PUBLIC HEARING - 7:00 PM

A. 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]***

ACTION: Approve Ordinance No. 2016-O-15 adopting a text amendment for the fence height and to clarify the language and standards for fencing City wide.

VIII. CONSENT AGENDA

A. Approve Minutes of October 18, 2016 ***[Rori Andreason, H.R. Director/City Recorder]***

IX. ACTION ITEM

A. ***Approve Resolution No. 2016-R-38 Ratifying the Mayor's Selection of the Midvale Justice Court Judge ***[Kane Loader, City Manager]***

X. DISCUSSION ITEM

A. Discuss amendments to Title 2, Administrative Code ***[Kane Loader, City Manager]***

XI. ADJOURN

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

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

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

DATE POSTED: OCTOBER 31, 2016
TIME: 12:45 P.M.

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

MIDVALE CITY COUNCIL SUMMARY REPORT

Meeting Date: November 1, 2016

SUBJECT:

Public Hearing for a text amendment request to adjust the fencing heights and to clarify the language and standards for fencing – City wide

Ordinance No. 2016-O-15

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.

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

The initial discussion with the Planning Commission was conducted on April 27, 2016 where 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.

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."

City Council Discussion

On October 18, 2016, the City Council discussed and addressed the ordinance language for this proposed text amendment. No further comments, suggestions, or requests were received.

FISCAL IMPACT: N/A

STAFF RECOMMENDATION:

Staff recommends that the City Council conduct a public hearing and receive any comments from the public for further discussion and review of the information received and provided. If the Council is

comfortable with the proposal, Staff has prepared an ordinance, identified as Attachment A, from the information provided and direction from the City Council.

RECOMMENDED MOTIONS:

Option 1 – Recommend approval

"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 adopt Ordinance No. 2016-O-15 to add language to adjust the fencing heights & to clarify the fencing language & standards Citywide, as included in Attachment A."

Option 2 – Not recommend approval

"I find that the proposed text amendment to add language to adjust the fencing heights & to clarify the fencing language & standards Citywide is not appropriate for the City of Midvale for the following reasons:

1. *...*
2. *...*

And, therefore, move to deny this proposed text amendment."

Attachments:

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

ORDINANCE NO. 2016-O-15

AN ORDINANCE ADJUSTING THE FENCING HEIGHTS CITYWIDE AND TO FURTHER CLARIFY THE LANGUAGE AND STANDARDS FOR FENCING CITYWIDE; ALSO PROVIDING A SAVING CLAUSE AND AN EFFECTIVE DATE FOR THE ORDINANCE.

WHEREAS, pursuant to Sections 10-9-401 through 10-9-405 Utah Code Annotated 1953 as amended, the City has the authority to make and amend a zoning plan which divides the City into zoning districts and within those districts to regulate the erection, construction, reconstruction, alteration, and uses of buildings and structures and the uses of land to promote the prosperity, improve the morals, peace and good order, comfort, convenience, and aesthetics of the municipality; and

WHEREAS, pursuant to Section 10-6-12 Utah Code Annotated 1953 as amended, the City has the authority to adopt and amend the Midvale City Municipal Code;

WHEREAS, Midvale City was made aware of additional uses not contemplated when the Zoning Ordinance was originally adopted with regard to fencing heights and standards; and

WHEREAS, Midvale City recognized these additional fencing heights and standards could further provide safety and security of individual properties and their uses; and

WHEREAS, the Planning Commission held a public hearing on September 28, 2016, to review the proposed amendments regarding fencing heights and standards and has forwarded a recommendation on such to the City Council; and

WHEREAS, the City Council of Midvale City, Utah held a public hearing on November 1, 2016, which meeting was preceded by notice through publication in the Salt Lake Tribune and Deseret News on October 18, 2016; and

WHEREAS, the City Council has taken into consideration testimony citizen testimony, planning and building analysis, and the Planning Commission's recommendation, and has determined that this text amendment is appropriate and within the best interests of the City as a whole in protecting and promoting the health, safety, welfare and aesthetic quality of Midvale City.

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

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

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

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

PASSED AND APPROVED this _____ day of _____, 2016.

_____
JoAnn B. Seghini, Mayor

ATTEST:

_____
Rori Andreason, MMC
City Recorder

Date of first publication: _____

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

Text Additions
~~Text Deletions~~

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.*

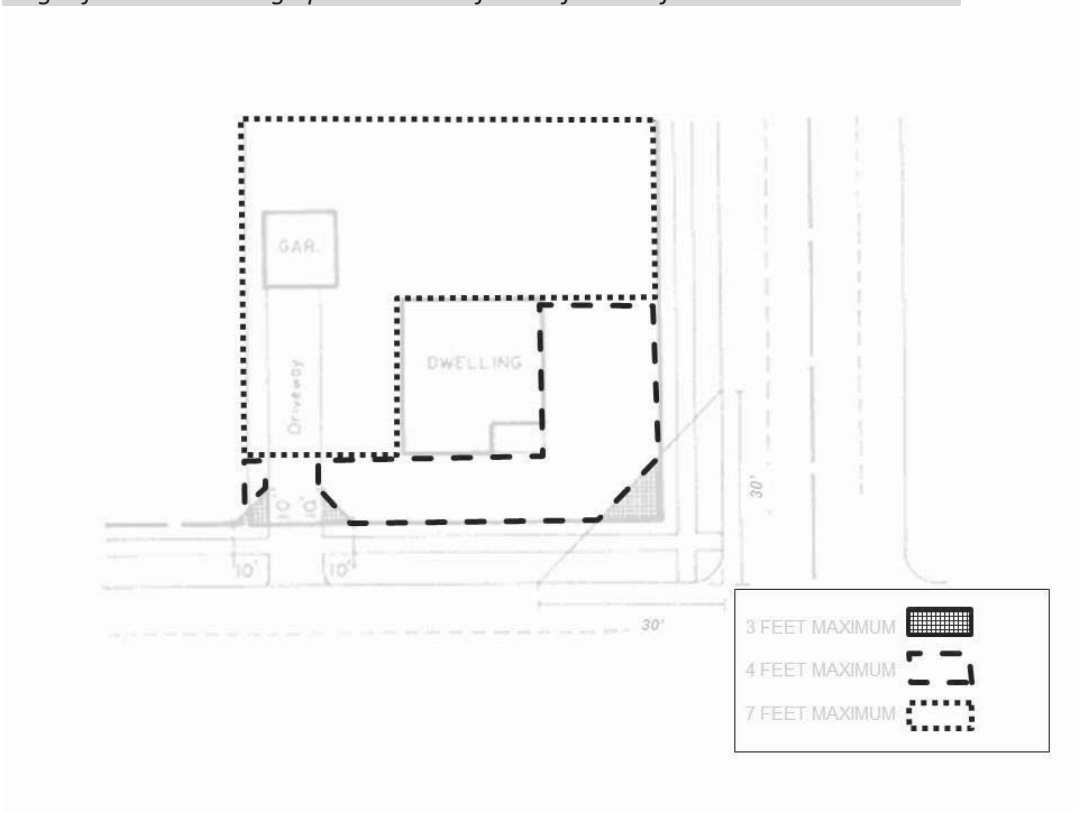
Fencing eight feet in height shall comply with the following conditions:

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*

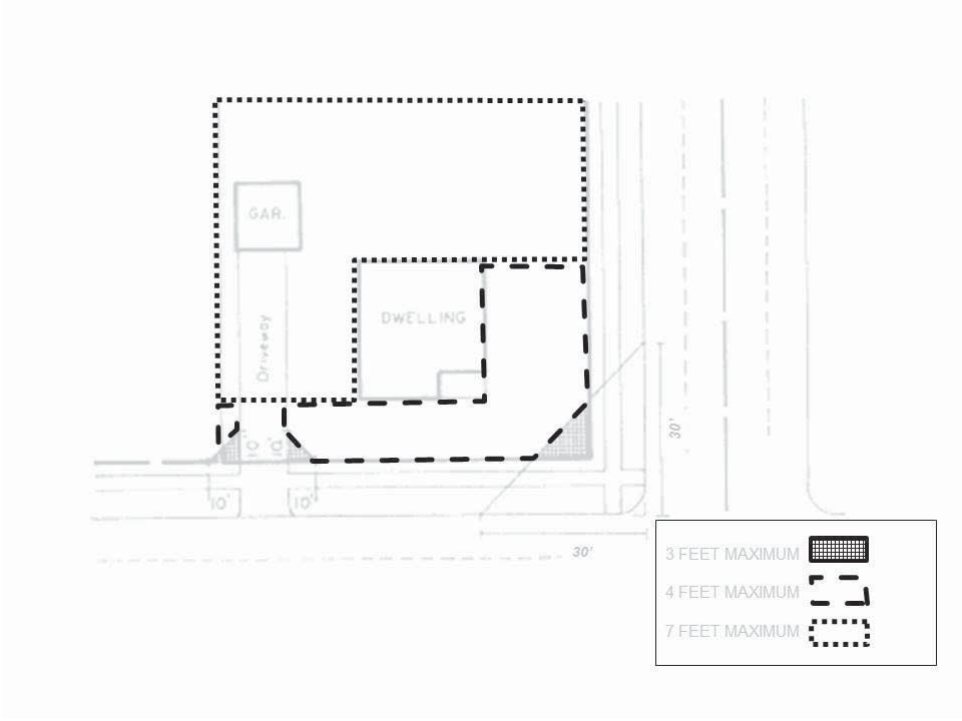
4. *A temporary fence on a construction site may be as high as required to protect the property during the period of construction.*

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*

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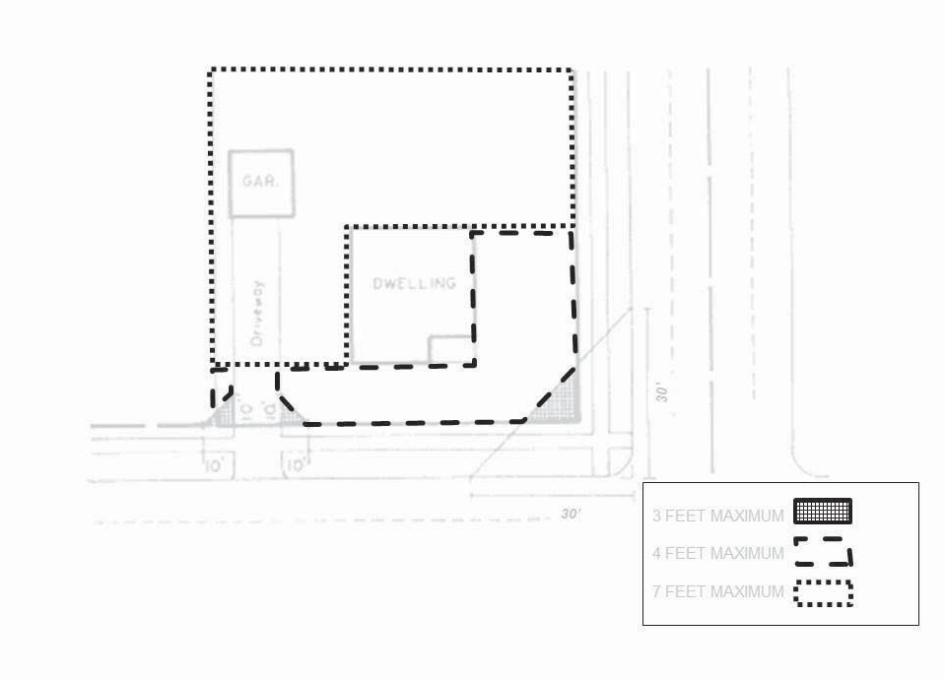


– Table 17-7-3.5 Architectural Standards (Multifamily)

Materials	Configurations	Techniques
Yards		
Yard Walls & Fences: 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;*

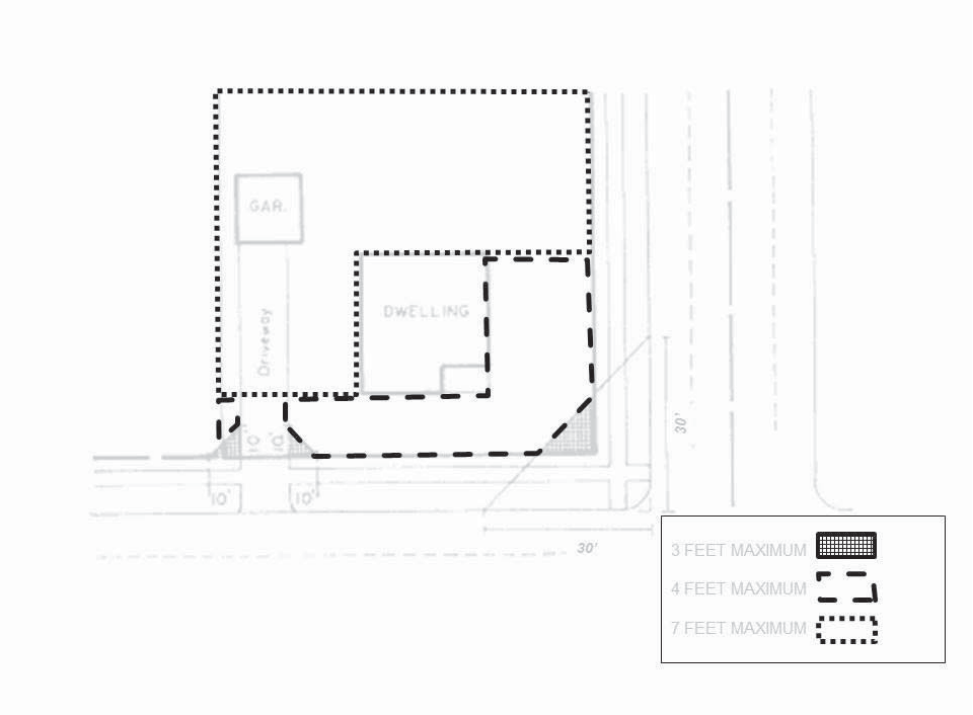
3. *On a property line, measured from the finished grade of either side when the abutting property owners are in agreement; and*

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
Yards		
Yard Walls & Fences: 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				
~~6'~~ 7' or less	**X**			
> ~~6'~~ 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*

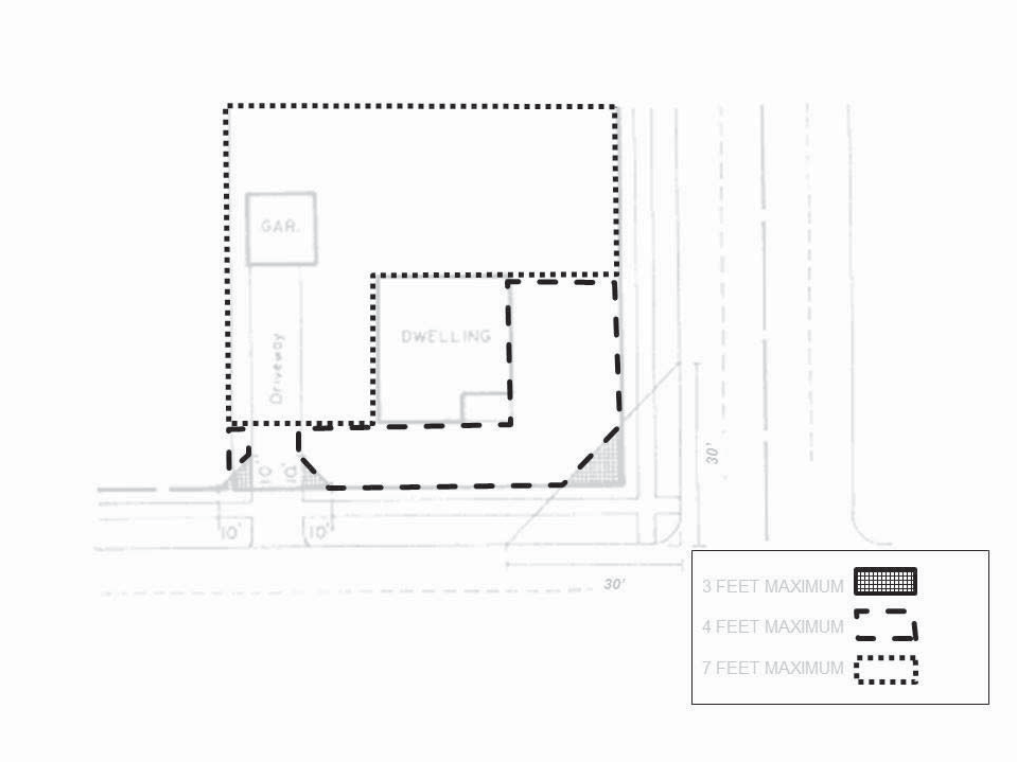
4. *A temporary fence on a construction site may be as high as required to protect the property during the period of construction.*

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	• Minimum 1 tree for every 250 s.f. of buffer area • Minimum 6' masonry wall between commercial and residential uses

- 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				
~~6'~~ 7' or less	**X**			
> ~~6'~~ 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.*

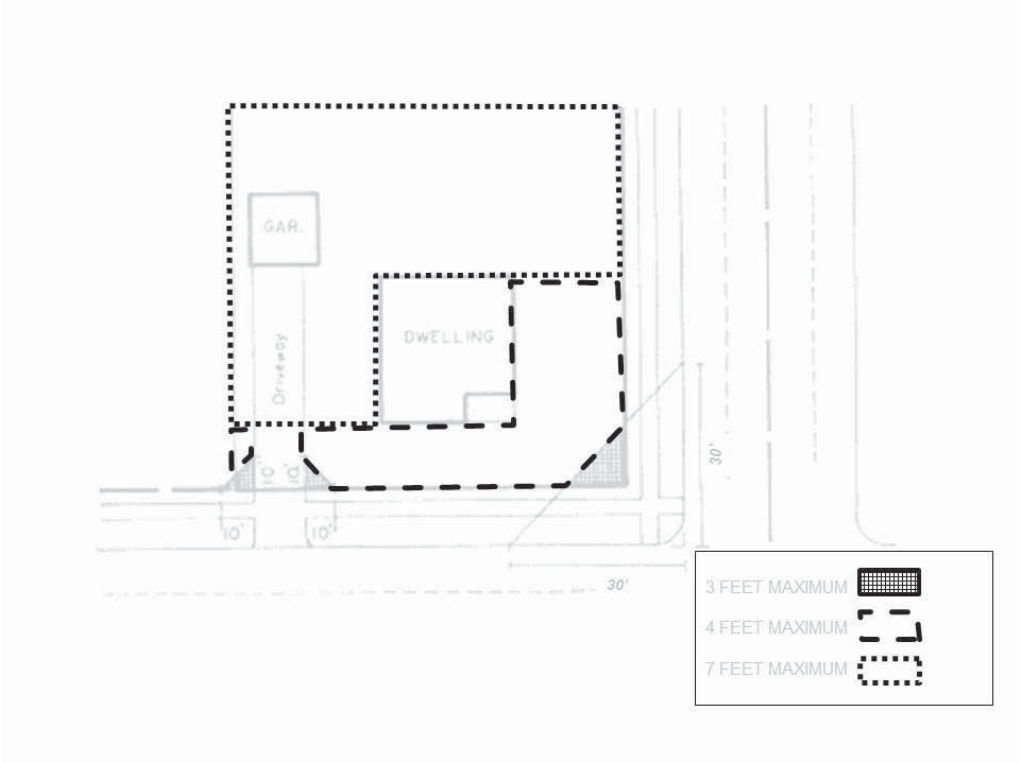
Fencing eight feet in height shall comply with the following conditions:

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

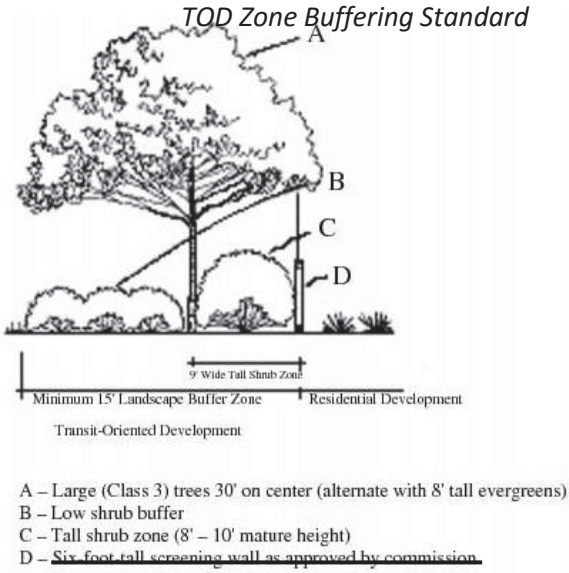
– Section 17-7-8.6 Retail, office and mixed-use architectural. (E) Fences, Hedges and Walls. (2) Height.

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

TOD Zone Buffering Standard



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

- 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
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 site distance triangle is 3'.	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 (I) 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)

  ~~c. 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 (I) 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			
~~6'~~ 7' or less	**X**		
> ~~6'~~ 7'		**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 ~~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 17-7-11.8 (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	• Minimum 1 tree for every 250 s.f. of buffer area • Minimum 6' masonry wall between commercial and residential uses

- 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.

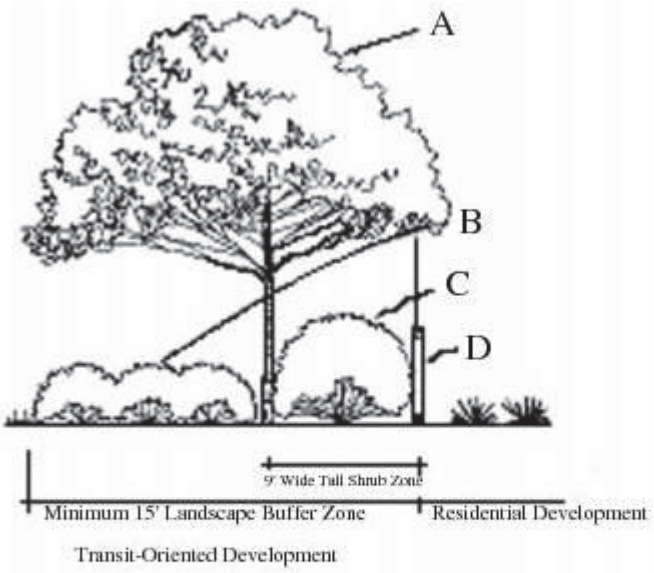
iii. Fences shall comply with all requirements for fences less than or equal to ~~six~~ seven feet in height with regard to location and construction.

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	• Minimum 1 tree for every 250 s.f. of buffer area • Minimum 6' masonry wall between commercial and residential uses

- 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.

Materials	Configurations	Techniques
Yards		
Yard Walls & Fences: 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.

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

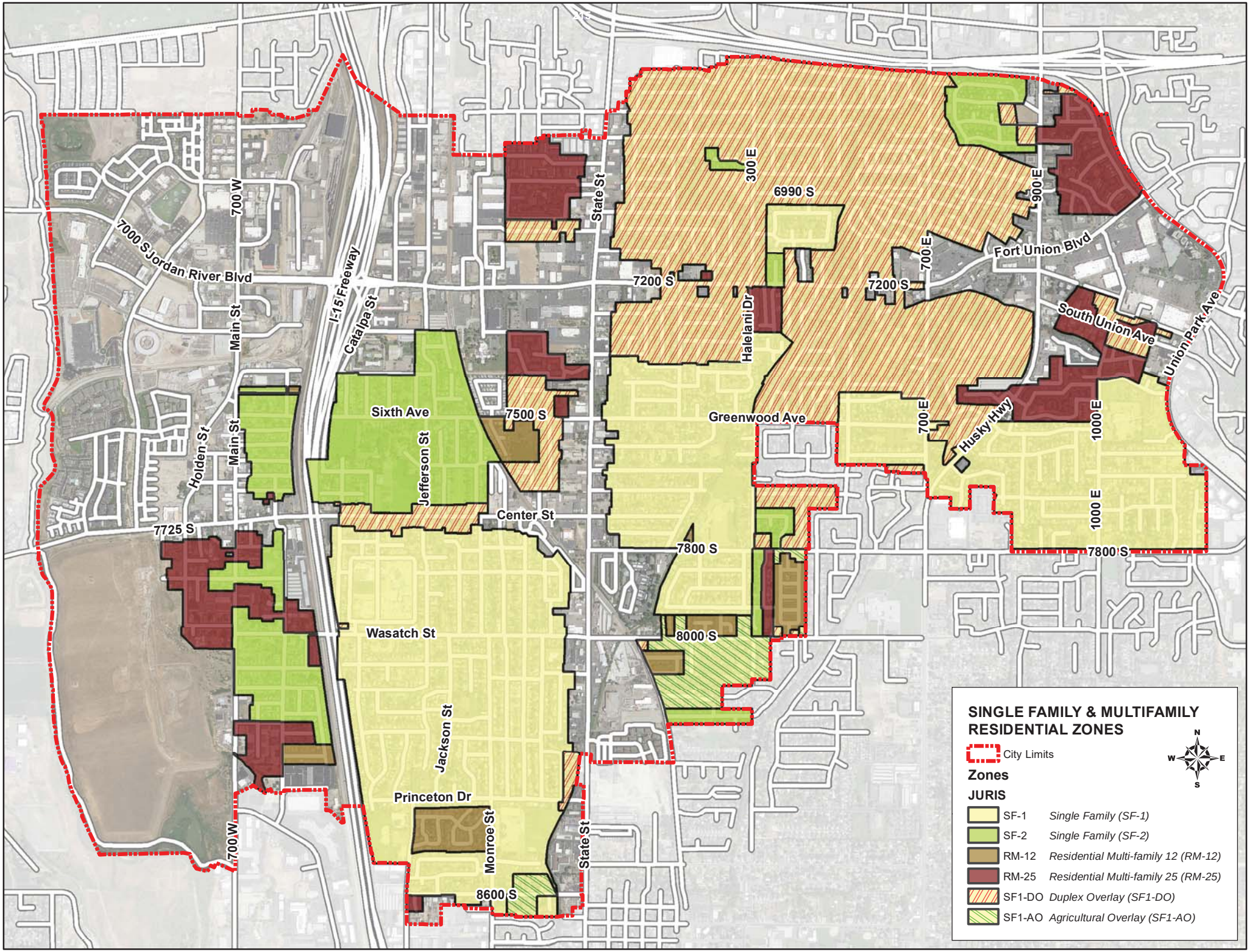
The land use authority shall require complete visual separation from residential uses if it determines that complete screening is necessary to protect abutting uses, and landscaping is not practical. ~~Fencing used for this purpose must be six feet high~~ Such fence must be a minimum of six feet high (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.

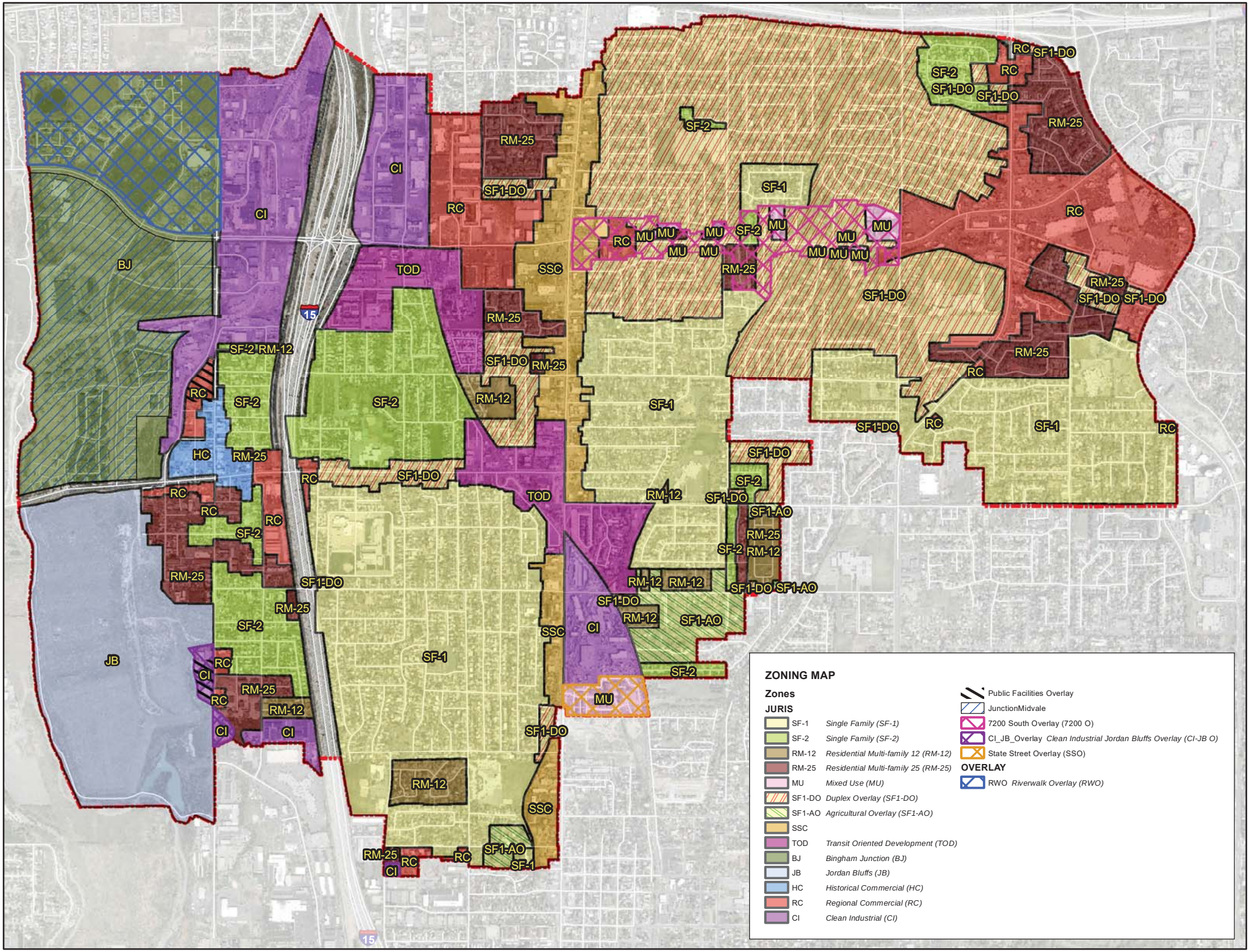
- Section 17-7-15.12 (B) (2) Administrative Conditional Use. (f) Fences greater than ~~six~~ seven feet in height.

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)
N
W
E
S
7000 S Jordan River Blvd
700 W
Main St
Holden St
I-15 Freeway
Catalpa St
State St
300 E
6990 S
900 E
700 E
Fort Union Blvd
7200 S
Halelani Dr
South Union Ave
Union Park Ave
Sixth Ave
7500 S
Greenwood Ave
Husky Hwy
1000 E
Jefferson St
Center St
7725 S
7800 S
Wasatch St
8000 S
Jackson St
Princeton Dr
Monroe St
8600 S


ZONING MAP
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)
MU Mixed Use (MU)
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)
Public Facilities Overlay
JunctionMidvale
7200 South Overlay (7200 O)
CI_JB_Overlay Clean Industrial Jordan Bluffs Overlay (CI-JB O)
State Street Overlay (SSO)
OVERLAY
RWO Riverwalk Overlay (RWO)
15

CITY COUNCIL MEETING
Minutes

Tuesday, October 18, 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
Council Member Paul Glover
Council Member Paul Hunt
Council Member Quinn Sperry

STAFF: Phillip Hill, Assistant City Manager/Community Development Director; Laurie Harvey, Assistant City Manager/Admin. Services Director; Rori Andreason, H.R. Director/City Recorder; Lisa Garner, City Attorney; Chief Jason Mazuran, UPD Midvale Precinct; Chief Scott McBride, UFA; Lesley Burns, City Planner; Matt Hilderman, Associate Planner; and Jarin Blackham, IT Manager.

Mayor Seghini called the meeting to order at 6:33 p.m.

I. INFORMATIONAL ITEMS

A. DEPARTMENT REPORTS

Chief Jason Mazuran introduced Office Mike Rob who was nominated for officer of the month for August 2016 and Officer Cory Levin as officer of the month for September 2016. He explained the actions of the officers that were above and beyond the call of duty that awarded them these designations. He expressed his appreciation for their dedicated work to the Midvale community. He also introduced Detectives Nelson and Tsouras who will be working on community oriented policing. They will be attending these meetings as much as possible.

Chief Scott McBride congratulated the police and the fine job they do.

Laurie Harvey said discussed the funds received for the homeless shelter from the State. She stated that the refunding bonds for water and sewer sold on Wednesday and the net present value savings is $540,000. It lowered the interest rate from 4.24% to 2.24%. She also announced the City received a dividend check from the Utah Local Governments Trust for $39,100. She said in response to Councilmember Sperry's request for a breakdown of the $93,100 owed the City by the Communities Building Communities. She said $21,100 was for the salary and benefits of Maria Cala, which was to be reimbursed by a grant. The remainder of the $72,000 was for the salary and benefits of the director. She said she also looked up the value of the seminary building which was $170,000. She also reported that when the sewer bills went out last month, the

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sewage usage was not billed. So the next bill will show an adjustment. She discussed the confusion some residents had expressed with the wording used on the bills calling the water base rate a water connection fee. After discussion with the Council, the decision was made to change the water connection fee to water base fee so there is no confusion for the residents.

Jarin Blackham reviewed the notifications available to the public from the City's website. The news articles can also be sent directly to Facebook and Twitter. He discussed text messaging which would cost about $2000 to $3000 each year depending on the number of users. Councilmember Sperry felt the same people wanting text messages would also be getting the e-notifications so he did not see a need to duplicate it. The Council agreed.

Danny Walz said the Bingham Junction Park Ribbon Cutting will be held next Thursday, October 27th at 4:00 p.m. to 6 p.m. He also announced that the old City Hall has been demolished.

Larry Wright updated the Council on the Leaf Bag Program and other issues in Public Works.

Rori Andreason invited the Council to attend the Halloween Potluck on October 31st.

Phillip Hill said staff will be holding interviews next week regarding the position of the Justice Court Judge.

III. GENERAL BUSINESS

A. Welcome and Pledge of Allegiance

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

IV. PUBLIC COMMENTS

Mary Lou Damjannvich and Roy Anthony asked the Council to put in some pickleball courts lilke other cities are doing. It is a sport that anyone can play at any age. She would love to see the City make some courts just for pickleball and not basketball. Or turn the tennis courts into pickleball courts. The Boys and Girls Club would also benefit from it. The Council informed them that the tennis courts will be striped for pickleball courts. The City is also looking at adding an additional pickleball court in front of the senior center which can also be used for overflow parking.

Brad Rosenhan said the intent of the general plan is reasonable but he has concerns with how it is enforced. It is policy document. He expressed his concern with the TOD zone and the proposed land use development on Center Street.

Vernon Walker said he would like to call the Council and staff's attention to Midvale City Zoning Ordinance 17-1-1 is entitled legislative intent. He quoted item (f) regarding preservation. He felt Brad's view of the Midvale Station Apartment clearly shows that the Zoning Ordinance that should be protecting neighborhoods and conserving property values is now doing the opposite. He felt the TOD and zoning ordinance conflict and the ordinance says the more

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restrictive will prevail. He said there are many questionable areas with this project including the 400 ft. shadow it would cast. The surface parking area will drain into the underground parking area. He said there is a lack of information regarding the plans and pedestrian walkways in the parking and underground parking area. He asked how and who he can share his concerns with.

Phillip Hill said he would be happy to go over all of his concerns with him if he could make an appointment and come into the office.

Councilmember Wayne Sharp said he appreciates it when he receives and email with concerns.

Bryant Brown said he read the general plan and appreciates it. He agreed with the comments that have been made and was also concerned with the TOD zone and the proposed developments.

V. COUNCIL REPORTS

A. Councilmember Quinn Sperry – had nothing to report.

B. Councilmember Wayne Sharp – discussed a proposed bill for special districts that Bill Moore is sponsoring. He would like to see that the special district boards have to get approval from the cities before raising taxes. He said the Mosquito Abatement would like to know how the City feels about this proposed bill. The Council said they were fine with having a representative on the board to make the decision for them and keep them informed of what's going on in the district.

C Councilmember Stephen Brown – had nothing to report.

D. Councilmember Paul Glover – said he attended the UFA Board meeting today and they have 20 candidates they are looking at for the new Fire Chief.

E. Councilmember Paul Hunt – had nothing to report.

VI. MAYOR REPORT

Mayor JoAnn B. Seghini – discussed the tour of the new middle school and how impressive it is. The Veterans Day ceremony will be done by the Utah National Guard on November 11th. There will be a pancake breakfast at the Senior Center after.

VII. CONSENT AGENDA

A. APPROVE MINUTES OF OCTOBER 4 & 11, 2016

B. SET DATE AND TIME (NOVEMBER 1, 2016 AT 7:00 P.M.) FOR A PUBLIC HEARING TO CONSIDER THE FENCING HEIGHT AND TO CLARIFY THE LANGUAGE AND STANDARDS FOR FENCING CITY WIDE

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

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

The motion passed unanimously.

VIII. ACTION

A. APPROVE RESOLUTION NO. 2016-R-37 APPOINTING GARRETT WILCOX AS THE DEPUTY CITY ATTORNEY

Lisa Garner said 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 has 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.

MOTION: Councilmember Paul Hunt MOVED to approve Resolution No. 2016-R-37 Appointing Garrett Wilcox as the Deputy City Attorney for Midvale City. The motion was SECONDED by Councilmember Quinn Sperry. 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 Aye
Council member Paul Glover Aye
Council member Paul Hunt Aye
Councilmember Wayne Sharp Aye
Council member Quinn Sperry Aye

The motion passed unanimously.

B. APPROVE ORDINANCE NO. 2016-O-14 ADOPTING THE MIDVALE CITY GENERAL PLAN 2016

Lesley Burns said 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 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.

Councilmember Paul Glover said he would approve the plan as long as the issues regarding the TOD zone are dealt with as well as the small neighborhood plans.

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Councilmember Quinn Sperry said they all understand the TOD zones. The General Plan WILL change as the Council makes changes. He asked that Phillip Hill explain the TOD moratorium.

Phillip Hill explained that because they have draft language there is a six month moratorium in place. No one can apply to use the TOD zone until after the moratorium. This won't affect applications that already submitted; however, no new applications can be accepted.

Councilmember Paul Glover said hopefully this document will guide them in making decisions for the future.

MOTION: Councilmember Wayne Sharp MOVED to approve Ordinance No. 2016-O-14 Adopting the Midvale City General Plan 2016. The motion was SECONDED by Councilmember Stephen Brown. 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	**Aye**
Council member Paul Glover	**Aye**
Council member Paul Hunt	**Aye**
Councilmember Wayne Sharp	**Aye**
Council member Quinn Sperry	**Aye**

The motion passed unanimously.

IX. <u>DISCUSSION ITEM</u>

A. DISCUSS A TEXT AMENDMENT TO ADJUST THE FENCING HEIGHT AND TO CLARIFY THE LANGUAGE AND STANDARDS FOR FENCING CITY

Matt Hilderman said 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.

PENDING

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 2 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.

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 8:12 p.m.

_____

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

Approved this 1st day of November, 2016.

PENDING

MIDVALE CITY, UTAH
RESOLUTION NO. 2016-R-38

A RESOLUTION RATIFYING THE MAYOR'S APPOINTMENT OF GEORGE VO-DUC AS THE MIDVALE CITY JUSTICE COURT JUDGE BEGINNING JANUARY 2017.

WHEREAS, the current Midvale City Justice Court Judge, Judge Ronald Wolthuis, did not seek retention at the end of his current term; and

WHEREAS, there will be a vacancy for the Midvale City Justice Court Judge beginning January 2017; and

WHEREAS, the City, in accordance with Utah Code 78A-7-202, sought to fill the vacancy; and

WHEREAS, the Salt Lake County Justice Court Nominating Commission carefully vetted numerous candidates and nominated several qualified, experienced attorneys to fill the vacancy; and

WHEREAS, Mayor Seghini and several City senior staff interviewed the nominated attorneys to determine the best fit for the City; and

WHEREAS, after careful consideration and with authority under Utah Code 78A-7-202(2)(b), the Mayor appointed George Vo-Duc to be the Midvale City Justice Court Judge beginning January 2017.

NOW THEREFORE BE IT RESOLVED, based on the foregoing, the Midvale City Council does hereby ratify the Mayor's appointment of George Vo-Duc as the Midvale City Justice Court Judge beginning January 2017.

APPROVED AND ADOPTED this 1st day of November, 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	_____	_____

GEORGE VO-DUC

Address: 3418 South 100 West, Bountiful, Utah 84010
Mobile: 801-503-7144 ▪ Email: gvo-duc@slco.org

Accomplished, meticulously organized and detailed Attorney with proven track record of success conducting legal research, analysis, trail preparation and document drafting. Experience providing counsel to government and private corporations has contributed to exceptional, broad based legal knowledge. Proven ability to logically and effectively analyze statutes, ordinances, case law and factual data. Outstanding ability to be concise, complete, logical, objective and persuasive in both written and oral communications. Resourceful individual with ability to anticipate and evaluate all issues to adequately protect clients and complete projects producing professional results while adhering to rigid deadlines. Illustrate stellar qualifications in adapting easily to organizational rules and procedures, learning new things, and applying knowledge effectively. Recognized by peers and mentors as warm, friendly, easy-going, cooperative, spontaneous, and intuitive with the capacity to work well and multitask within fiercely competitive situations. Technically proficient in Westlaw and Nexis-Lexis.

- *Criminal Investigations*
- *Corporate Transactions*
- *Regulatory Compliance*
- *Litigation Management*
- *Legal Documentation*
- *Client Relations & Discussions*
- *Legal Drafting & Vetting*
- *Legal Correspondence*
- *Contractual & Compliance Management*
- *Strong Interpersonal Skills*
- *Liaison*
- *Representation*

PROFESSIONAL QUALIFICATIONS

S.J QUINNEY COLLEGE OF LAW ▪ Salt Lake City, Utah
Juris Doctorate ▪ 2001
Campus Activities: *The Guadalupe School Legal Clinic in 2001*

UNIVERSITY OF UTAH ▪ Salt Lake City, Utah ▪ *Graduated with a 3.4 GPA*
Bachelor of Science in Philosophy ▪ 1998

Awards & Recognition
Recognition from Governor Herbert for volunteer work at the Guadalupe School as an ESL volunteer.

CAREER HIGHLIGHTS

- Chairman, Criminal Law Section of the Utah State Bar, 2013.
- Convicted the young man of rape who would take advantage of young ladies being pass-out drunk to have sex with them after a multi-day trial.
- Convicted two young men of trying to murder a cab driver for his money.
- Convicted two brothers of murdering a house guest.
- Member of 2014 Salt Lake County District Attorney's Office Team of the Year (Screening Unit)
- Received Trial Attorney award for 2012 for conducting the most jury trials in a one year period, most of them wins.

- Member of 2015 Salt Lake County District Attorney's Office Team of the Year (Major Crimes Unit).
- Recipient of 2015 Salt Lake County District Attorney's Officer "Above and Beyond" Award for trial work.

EMPLOYMENT MILESTONES & EXPERIENCE

SALT LAKE COUNTY ▪ Salt Lake City, Utah
Deputy District Attorney ▪ 2002-Present

- Responsible for all phases of felony level prosecutions, from screening and filing of charges, to motion practice, and where necessary jury trials. Conducted about 12 jury trials during one-year assignment to narcotics unit.
- Handle all phases of litigation, including pre-trial conferences, motion practice, and jury/bench trials in front of the Salt Lake County Justice Court Judges.
- Prosecute traffic cases – moving and non-moving violations – as well as cases of simple assault, theft, property crimes, and domestic violence cases.
- Held assignment on the West Jordan General Felonies unit. Conducted identification lineups, and presented several multi-day trials on charges such as attempted murder, and first-degree aggravated assault.
- Receive and review summons or tickets filed by arresting officers, and review and examine the evidence, witness statements, determine whether or not a crime has been committed, the nature of the crime, and whether or not the evidence justifies prosecution.
- Prepare briefs and legal opinions; conduct legal research; prepare reports and develop recommendations related to the District Attorney's Office policies, procedures and operations.
- Represent the County in criminal calendar proceedings including the scheduling of cases, plea negotiations, probation revocation hearings, motions, and sentencings.
- Instrumental in compiling a resource manual aimed at making the transition to prosecuting juvenile crimes easier for prosecutor. The project was aimed at creating and preserving institutional knowledge for current and future generations of prosecutors in the office.
- Talk with victims and witnesses, preparing them for approaching hearings and assist them with the process.

IRVIN, VO-DUC & OBRAY: ATTORNEY ▪ Salt Lake City, Utah
Attorney ▪ Feb 2001-Nov 2001

- Represented a diverse group of clients in civil litigation, family and criminal matters. Handled family law cases, specifically in the areas of grandparent rights and adoption.
- Drafted and argued motions in matters of child neglect and termination of parental rights.
- Met with clients and developed trial strategy based on client's needs and recommendations.
- Interviewed witnesses, propounded and responded to interrogatories, requested productions and admissions, took and defended depositions, briefed interlocutory motions, filed requested findings and conclusions in non-jury cases and prepared and argued requested instructions in jury trials.

UTAH LEGAL CLINIC ▪ Salt Lake City, Utah
Law Clerk ▪ Jun 2000-Jun 2001

- Conducted research projects and drafted memoranda with appropriate supervision of attorney.
- Served and filed papers in courts, government offices and by electronic means, conducted research of court dockets, motion calendars and court files, and answered routine calendar calls at various courts around the city.
- Served legal documents and prepared the required affidavits of service.