



7505 South Holden Street  
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[www.midvalecity.org](http://www.midvalecity.org)

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## MIDVALE CITY COUNCIL MEETING AGENDA OCTOBER 19, 2021

**PUBLIC NOTICE IS HEREBY GIVEN** that the **Midvale City Council** will hold an electronic and in-person meeting on the **19<sup>th</sup> day of October 2021** as follows:

### **Electronic & In-Person City Council Meeting**

This meeting will be held electronically and in-person. Midvale City no longer requires masks and social distancing; however, Midvale City recommends following the CDC guidelines.

The meeting will be broadcast on the following:

**You Tube:** [www.MidvaleCity.org/YouTube](http://www.MidvaleCity.org/YouTube)

### **6:00 PM – WORKSHOP**

- Discuss Employee Retention and Compensation *[Matt Dahl, City Manager]*

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### **7:00 PM - REGULAR MEETING**

#### **I. GENERAL BUSINESS**

- A. WELCOME AND PLEDGE OF ALLEGIANCE
- B. ROLL CALL
- C. Unified Police Report

#### **II. PUBLIC COMMENTS**

This meeting will be held electronically and in-person. Midvale City no longer requires masks and social distancing; however, Midvale City recommends following the CDC guidelines. **Public comments may be submitted electronically for City Council consideration at [www.Midvalecity.org/government/contact-us](http://www.Midvalecity.org/government/contact-us) by 5:00pm on October 18th. Please indicate if you would like your comment addressed in the City Council meeting.**

#### **III. COUNCIL REPORTS**

- A. Councilmember Heidi Robinson
- B. Councilmember Paul Glover
- C. Councilmember Dustin Gettel
- D. Councilmember Quinn Sperry
- E. Councilmember Bryant Brown

#### **IV. MAYOR ROBERT M. HALE REPORT**

#### **V. CITY MANAGER REPORT**

#### **VI. DEPARTMENT REPORTS**

- A. Community Development Report *[Nate Rockwood, Community Development Director]*

**VII. PUBLIC HEARINGS**

- A. Consider a Text Amendment to the Midvale Municipal Code regarding Chapter 13.16 Storm Water Ordinance *[Keith Ludwig, City Engineer]*

**ACTION: Adopt Ordinance No. 2021-O-20 Approving a Text Amendment to the Midvale Municipal Code regarding Chapter 13.16 Storm Water Ordinance**

- B. Consider Final Subdivision Approval for The Mill Phase One, a proposed 24-Unit Single Family Residential Phase on 3.54 Acres located at 236-264 E 8000 S in the Multifamily Residential Medium Density (RM-12) Zone, Jacob Ballstaedt, representing Midvale Mill Investments LC. *[Elizabeth Arnold, Planner II]*

**ACTION: Approve the Final Subdivision for The Mill Phase One, a Proposed 24-Unit Single Family Residential Phase on 3.54 Acres Located at 236-264 E 8000 S in the Multifamily Residential Medium Density (RM-12) Zone**

**VIII. CONSENT**

- A. Consider Minutes of October 5, 2021 *[Rori Andreason, City Recorder/H.R. Director]*

**IX. DISCUSSION ITEM**

- A. Discuss Street Cut Moratorium *[Nate Rockwood, Community Development Director and Keith Ludwig, City Engineer]*
- B. Discuss Wasatch/Main Intersection Study *[Nate Rockwood, Community Development Director and Keith Ludwig, City Engineer]*
- C. UPD Compensation Update *[Kyle Maurer, Assistant City Manager]*

**X. ADJOURN**

*In accordance with the Americans with Disabilities Act, Midvale City will make reasonable accommodations for participation in the meeting. Request assistance by contacting the City Recorder at 801-567-7207, providing at least three working day 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 also posted at the following locations on the date and time as posted above: City Hall Lobby, on the City's website at [www.midvalecity.org](http://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.*

**DATE POSTED: OCTOBER 14, 2021**

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



## **MIDVALE CITY COUNCIL SUMMARY REPORT**

**Meeting Date:**

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**SUBJECT:** Revisions to the Stormwater Utility Ordinance  
(Chapter 13.16)

**SUBMITTED BY:** Keith Ludwig, P.E., City Engineer

**SUMMARY:**

Since 2003 the City has been under the requirements of Phase II of the Clean Water Act. This required that we get a discharge permit from UDEQ with all its requirements, including creating a storm water management plan.

Each year the State (UDEQ) conducts audits of various cities' and counties' storm water programs to evaluate how well they are performing their storm water duties.

This year was our turn. Early last March we had the opportunity to spend two days being interviewed by Division of Water Quality personnel. These meetings were held virtually. Prior to those interviews, we sent them records, reports, and other paperwork regarding our storm water program.

They also came out and did site inspections at our Public Works facility and the cemetery. There were also two construction sites inspected. The Moda Union project on Cottonwood and Millennium Way, and the Holmes project at 700 West and Bingham Junction Blvd.

On May 12<sup>th</sup> of this year we received their report of our audit outlining the deficiencies that needed to be corrected. We then had 30 days to respond with a corrective action plan and a timeline in which to complete them. Most of the items had to do with creating standard operating procedures (SOP) for our activities, documenting our activities, or doing more inspections. There were several that dealt with our storm water ordinance and changes or additions that needed to be made. Hence my visit with you this evening.

After reviewing their report, we worked up a corrective action plan with some items being taken care of by August 30<sup>th</sup> and others by December 1<sup>st</sup>.

I am happy to report that those items on the August 30<sup>th</sup> deadline were submitted well prior to that date and have been acknowledged as being complete by the State.

Eight of the remaining twelve items deal with the storm water ordinance.

**I will go over the deficiencies that needed to be corrected and then the section in the ordinance that was added or changed to deal with it.**

- 1 Update the ordinance to restrict non-stormwater discharges.  
Section 13.16.120 Dumping and Illicit Discharge was changed to more explicitly define allowed and prohibited discharges into the storm drain system.**
- 2 Ordinance must be updated to include the requirement for the use of sediment an erosion control practices for construction.  
Section 13.16.100 C was added to require this.**
- 3 Ordinance did not include sanctions to ensure compliance with erosion and sediment control measures.  
With the additions made to Section 13.16.100 enforcement can now be done through the ordinance.**
- 4 Ordinance did not apply to construction projects greater than 1 acre or projects less than one acre that were part of a larger common plan of development.  
Section 13.16.100 C now defines these construction projects.**
- 5 Ordinance did not require construction operators to prepare a Storm Water Pollution Prevention Plan (SWPPP).  
Section 13.16.100 D now requires a SWPPP to be prepared.**
- 6 Ordinance did not contain provisions for City personnel to access and inspect construction storm water Best Management Practices (BMPs).  
Section 13.16.160 C was added to allow for this.**
- 7 Ordinance did not require the use of BMPs in a projects Long Term Storm Water Management Plan (LTSWMP).  
Section 13.16.150 C was modified to require BMPs in the LTSWMP.**
- 8 City did not have written requirements for allowable discharge rates into the storm drain system.  
Section 13.16.100 B now outlines the City's requirements.**

**After I did my best to make the changes to the ordinance, I had Garrett take a look. Garrett did his magic so it all made sense, and also added several items to the definition section. Garrett also took the opportunity to correct some formatting issues so that the entire ordinance reads better.**

**We also sent the draft ordinance to Lisa Stevens with the Division of Water Quality for her review. Lisa is our point person at the State level that we have been dealing with during our audit.**

**We wanted to make sure that the revisions to the ordinance we had made would cover the deficiencies so what we brought to you would be ready for approval.**

**FISCAL IMPACT: None**

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**STAFF’S RECOMMENDATION AND MOTION – APPROVE TEXT  
AMMENDMENT:**

*“I move that we adopt Ordinance No. 2021-O-??, amending the Stormwater Utility Ordinance, Chapter 13.16 of the Midvale Municipal Code.*

**Attachments:**

**Revised Stormwater Ordinance Chapter 13.16  
Pages from audit report dealing with ordinance deficiencies  
City’s corrective action plan**

**ORDINANCE NO. 2021-O-20**

**AN ORDINANCE AMENDING DEFINITIONS AND REGULATIONS RELATED TO STORMWATER MANAGEMENT AS CONTAINED IN CHAPTER 13.16 OF THE MIDVALE CITY MUNICIPAL CODE.**

**WHEREAS**, Midvale City is required, under the Clean Water Act Phase II, to obtain a discharge permit for storm water from the State of Utah Department of Environmental Quality; and

**WHEREAS**, under this permit the City has certain duties and responsibilities as outlined in the City's Storm Water Management Plan; and

**WHEREAS**, the State of Utah is tasked to ensure that the entities obtaining storm water discharge permits are performing the activities contained in their Storm Water Management Plan by conducting audits of the individual entities storm program; and

**WHEREAS**, the City was audited by the State on March 8, 9, 16, and 19, 2021, which audit resulted in deficiencies to the City's storm water program that needed to be corrected; and

**WHEREAS**, several of these corrections involved deficiencies in the Stormwater Utility Ordinance (Chapter 13.16 of the Midvale City Municipal Code), which has now been revised to correct the deficiencies noted; and

**WHEREAS**, the revised ordinance has been reviewed and approved by the City's legal staff and by the State and found to be satisfactory.

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

Section 1. Chapter 13.16 of the Midvale Municipal Code be amended as included in the following attachments to this document:

Attachment A: Chapter 13.16

Section 2. A violation of this ordinance includes the possibility of fines or imprisonment under Midvale Municipal Code 1.01.070. Midvale City is required, under Utah Code Ann. § 78B-22-301, to provide for indigent legal defense, as that term is defined in Utah Code Ann. § 78B-22-102.

Section 3. This ordinance shall be effective upon the date of first publication.

**APPROVED AND ADOPTED** this 19<sup>th</sup> day of October 2021.

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Robert M. Hale, Mayor

ATTEST:

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

| Voting by the City Council | “Aye” | “Nay” |
|----------------------------|-------|-------|
| Dustin Gettel              | _____ | _____ |
| Paul Glover                | _____ | _____ |
| Quinn Sperry               | _____ | _____ |
| Heidi Robinson             | _____ | _____ |
| Bryant Brown               | _____ | _____ |

Date of publication:\_\_\_\_\_

## Chapter 13.16

### STORMWATER UTILITY

#### Sections:

- 13.16.010 Purpose.
- 13.16.020 Definitions.
- 13.16.030 Stormwater ~~utility~~ Utility created.
- 13.16.040 Ownership of ~~city~~ City stormwater facilities and assets.
- 13.16.050 Utility administration.
- 13.16.060 Service charge imposed.
- 13.16.070 System of rates and charges.
- 13.16.080 Billing and collection.
- 13.16.090 Appeal of charges.
- 13.16.100 No polluted waters discharged to storm sewers.
- 13.16.110 Obstruction.
- 13.16.120 Dumping.
- 13.16.130 Enforcement.
- 13.16.140 Annual report to stormwater utility customers.
- 13.16.150 Long term stormwater management agreement required.
- 13.16.160 Inspections.

#### 13.16.010 Purpose.

The ~~city~~ City finds and declares that absent effective maintenance, operation, regulation, and control, existing stormwater drainage conditions in all areas within the ~~city~~ City may constitute a potential hazard to the health, safety and general welfare of the ~~city~~ City and its residents. The ~~city~~ City council ~~Council~~ further finds that natural and manmade stormwater facilities and conveyances constitute a stormwater system and that effective improvement, regulation, and control of stormwater through formation, ~~by the city,~~ of a stormwater utility by the City requires the transfer to the utility of all stormwater facilities and conveyances and related rights belonging to the ~~city~~ City. (Ord. 6/15/2004O-23 § 1 (part), 2004)

#### 13.16.020 Definitions.

For the purpose of this ~~chapter~~ Chapter, the following terms phrases and words shall mean:

~~1A.~~ 1A. “Best Management Practices” or “BMPs” means management practices recognized by the United States Environmental Protection Agency, the Utah Department of Environmental Quality, or Midvale City that are intended to prevent pollution, protect water sources, minimize fugitive dust, manage wastes, and control erosion.

~~B.~~ B. “City” means Midvale City, a municipal corporation of the ~~state~~ State of Utah.

~~2C.~~ 2C. “County” means Salt Lake County.

~~3D.~~ 3D. “Council” means the Midvale City ~~council~~ Council.

~~4E.~~ 4E. “Customer” or “person” means any individual; public or private corporation and its officers; partnership; association; firm; trustee; personal representative of an estate; the ~~state~~ State of Utah or its departments, institutions, bureaus, agencies; county; city; political subdivision; or any other governmental or legal entity recognized by law.

~~5F.~~ 5F. “Director” means the ~~city’s~~ City’s ~~public~~ Public ~~works~~ Works ~~director~~ Director or designee.

~~6G.~~ 6G. “Equivalent Residential Unit” or (ERU). ~~An~~ “ERU” is equal to three thousand square feet of impervious surface area. This is based on an average single family residential parcel, which has an impervious surface area of three thousand square feet.

~~7H.~~ 7H. “Impervious surface” means a parcel’s hard surface area that causes water to run off its surface in quantities or speeds greater than under natural conditions. Some examples of impervious surfaces are rooftops, concrete or

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asphalt paving, walkways, patios, driveways, parking lots or storage areas, and gravel that has been subject to surface traffic, including compacted gravel surfaces.

I. “Long Term Storm Water Management Plan” or “LTSWMP” means a plan that meets the requirements of Subsection 13.16.150(C) and that manages stormwater and avoids pollution on a property for as long as the property remains in its existing use.

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8J. “Mitigation” means on-site facilities or practices which are designed to reduce stormwater quantity or improve stormwater quality.

Commented [GW1]: Is this an accurate statement? If a property is redeveloped, we would require a new LTSWMP, correct?

Commented [KL2R1]: Correct

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K. “Municipal Separate Storm Water System permit” or “MS4 permit” means a permit issued and managed by the Utah Department of Environmental Quality given to a municipality to operate a municipal storm sewer system in accordance with the United States Environmental Protection Agency MS4 stormwater management program. The City’s current MS4 permit is # UTR090000.

9L. “Parcel of real property” means the smallest, separately segregated unit of land having an owner. A parcel has boundaries and surface area, and is documented with a property number by the countyCounty.

40M. “Developed parcel” means any parcel whose surface has been altered by grading, filling, or construction of any improvement.

44N. “National Pollutant Discharge Elimination System (NPDES) Stormwater Regulations” or “NPDES Stormwater Regulations” means the provisions of the Federal Clean Water Act establishing specific permit requirements for the control of stormwater discharge.

O. “Notice of Intent” or “NOI” means a form required by the Utah Department of Environmental Quality to receive a Utah Pollutant Discharge Elimination System permit for construction activity.

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42P. “Single family residential parcel” means any parcel of land containing a single family or duplex dwelling-unit, as defined in Title 17, Midvale City Zoning Code.

Q. “Storm Water Pollution Prevention Plan” or “SWPPP” means a site-specific, written document that identifies potential sources of stormwater pollution at the construction site, describes practices to reduce pollutants in stormwater discharges from the construction site, and identifies procedures the operator will implement to comply with the terms and conditions of a construction permit.

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43R. “Stormwater” means water produced by storms, surface drainage, snow and ice melt, and other water permitted to be handled by the stormwater system.

44S. “Stormwater facilities” means any facility, improvement, development, or property made for controlling stormwater quantity and-or quality.

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45T. “Stormwater system” means all manmade stormwater facilities and conveyances, and natural stormwater systems, including designated open spaces, owned or maintained by the city-City that store, control, treat, and/or convey stormwater.

46U. “Stormwater utilityUtility” or “utilityUtility” means the utility created by this chapterChapter, which operates, maintains, regulates and improves stormwater facilities and programs within Midvale City.

47V. “Undeveloped parcel” means any parcel that has not been altered by grading, filling, or construction.

W. “Utah Pollutant Discharge Elimination System permit” or “UPDES permit” means a permit issued by the Utah Department of Environmental Quality to a person that prevents stormwater runoff from washing pollutants into local surface waters and is required before the person can discharge stormwater.

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X. “Utah DEQ” means the Utah Department of Environmental Quality or its successor agency. (Ord. 6/15/2004O-23 § 1 (part), 2004)

**13.16.030 Stormwater utility created.**

There is hereby created and established a ~~stormwater~~ Stormwater utility ~~Utility~~, herein referred to as “utility,” and service charge rate structure. The ~~utility~~ Utility will have regulatory authority and responsibility for planning, design, construction, maintenance, administration, and operation of all ~~city~~ City stormwater conveyances and facilities. (Ord. 6/15/2004O-23 § 1 (part), 2004)

**13.16.040 Ownership of ~~city~~ City stormwater facilities and assets.**

The ~~city~~ City ~~administrator~~ Manager shall determine which of the ~~city's~~ City's stormwater assets will be transferred to the ~~utility~~ Utility. Until such transfer, the ~~utility~~ Utility shall operate, maintain, and improve existing ~~city~~ City stormwater facilities used for the conveyance of stormwaters through, under or over lands or watercourses, beginning at a point where the stormwaters first enter the stormwater system of the ~~city~~ City and ending in each instance at a point where the stormwaters exit from the system. (Ord. 6/15/2004O-23 § 1 (part), 2004)

**13.16.050 Utility administration.**

The ~~stormwater~~ Stormwater utility ~~Utility~~ ~~shall be~~ is administered by the ~~city's~~ City's ~~public~~ Public works ~~Works department~~ Department. (Ord. 6/15/2004O-23 § 1 (part), 2004)

**13.16.060 Service charge imposed.**

All persons otherwise responsible for impervious surfaces within the ~~city~~ City which contribute runoff to the stormwater system or who otherwise use or benefit from the ~~stormwater~~ Stormwater utility ~~Utility~~ of the ~~city~~ City will be responsible for paying the stormwater water utility fees as set forth by ~~Resolution No. 06/15/2004 R-~~ 5-resolution of the City Council. (Ord. 6/15/2004O-23 § 1 (part), 2004)

**13.16.070 System of rates and charges.**

A. Service Fees Imposed. The ~~city~~ City will impose stormwater water fee rates and charges on each parcel of real property within the ~~city~~ City except governmentally-owned streets. The charges ~~shall~~ fund the administration, planning, design, construction, water quality programming, operation, maintenance, and repair of existing and future stormwater facilities.

B. Methods of Determining Contribution of Stormwater.

1. Contributions of stormwater from nonresidential parcels and residential parcels larger than duplexes have been ascertained through aerial photography by evaluating land surface and measuring the amount of impervious surface.
2. Contributions of stormwater from residential parcels have been established by estimating residential impervious areas.

C. Method of Determining Service Fee Rates. Stormwater service fees ~~shall be~~ are applied to each parcel of real property within the ~~city~~ City (including ~~city~~ City-owned properties) except government-owned streets. Service fees ~~shall be~~ are differentiated according to the following classifications:

1. Residential Parcels. Single family residential and duplex parcels ~~shall~~ constitute one ERU.
2. Undeveloped Parcels. Undeveloped parcels ~~shall~~ have no charges applied.
3. Other Parcels. Charges for all other parcels ~~shall be~~ are computed by multiplying the total ERUs for a parcel by the monthly rate. Total ERUs are calculated by dividing total square feet of impervious surface by three thousand square feet (one ERU).

4. Credit for On-Site Mitigation. A service charge credit ~~shall be~~ is available for those non-single family residential ~~parcel~~ customers that exceed the ~~city's~~ City's stormwater development standards ~~and/or~~ reduce the ~~city's~~ City's downstream costs in providing stormwater capacity; provided, that if the ~~city's~~ City's standards are increased in the future, then only those customers who currently exceed the existing standards will continue to be eligible for a service charge credit. If a request for mitigation credit is granted, the credit

~~shall will~~ be applied to all charges from the time of the credit request being accepted by the ~~cityCity~~; and will be reflected on the next billing ~~within~~ thirty days after appeal is granted.

~~5. Types of Stormwater Control Facilities.~~ Stormwater control facilities located on a parcel may either hold runoff for a period of time and release it at a controlled rate to the stormwater water system (detention), ~~or hold water until it evaporates or infiltrates into the ground (retention).~~

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~~6. Source or Treatment Control Credits.~~ Credit for improving quality of stormwater runoff will be based on implementation of source or treatment controls which reduce or eliminate pollutants from its stormwater runoff before it enters the ~~city's-City's~~ stormwater system.

**Commented [GW3]:** I'm assuming having stormwater control facilities in excess of the City's standards allows for some credit under 13.16.070(C)(4). Is that a correct assumption?

~~7. Application for Service Charge Credit.~~ Customers who believe their site conditions warrant a service charge credit may ~~make application to the city apply for a credit~~ by requesting an application package from the ~~city-City engineerEngineer; provided, that, no-No~~ credit ~~shall may~~ exceed a forty-five percent reduction of the original service charge amount. (Ord. 6/15/2004O-23 § 1 (part), 2004)

**Commented [KL4R3]:** correct

#### 13.16.080 Billing and collection.

A. Utility Enterprise Fund. This ~~chapter-Chapter~~ creates the stormwater utility fund. All revenues received from stormwater user fees shall be placed in the enterprise fund as a designated fund, to be left separate and apart from all other ~~city-City~~ funds. The collection, accounting and expenditure of all stormwater utility funds ~~shall will~~ be in accordance with the Utah Uniform Fiscal Procedures Act.

B. Billing. The ~~city-City shall will~~ bill, or cause to be billed, parcel owners for stormwater utility services. Fees and charges ~~shall beare~~ considered delinquent if not paid as determined by the procedures established by the ~~city-City~~ and ~~shall beare~~ an obligation to the ~~city-City~~, which ~~shall beis~~ subject to recovery in a civil action. (Ord. 6/15/2004O-23 § 1 (part), 2004)

#### 13.16.090 Appeal of charges.

A. ~~Appeal to Director.~~ Any nonresidential customer who disagrees with the stormwater rate structure's application to his/her parcel may apply to the ~~direetor-Director~~ for a user fee adjustment. The adjustment request must state the grounds for adjustment and must be filed in writing with the ~~direetor-Director~~ no later than thirty days after receipt of billing. The ~~direetor-Director shall will~~ review the request and basis for user charges to determine whether an error was made in the calculation or application of the fee. The ~~direetor-Director~~ may approve an adjustment to the fee.

B. ~~Appeal to City Manager.~~ An appeal of the ~~direetor's-Director's~~ decision ~~may must~~ be brought before the ~~city-City administrator-Manager~~ within thirty days after the date of the ~~direetor's-Director's~~ decision. ~~The dDecision~~ of the ~~city-City administrator-Manager shall beis~~ final and conclusive.

C. ~~Application of Credit.~~ If an appeal of charges is successful, ~~a~~ credit will be applied to all charges from the time of the appealed billing and will be reflected on a future billing after the appeal is granted. (Ord. 6/15/2004O-23 § 1 (part), 2004)

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#### 13.16.100 No polluted waters discharged to storm sewers.

A. ~~Permissible Stormwater and Water Sources.~~ The only substance allowed to be discharged ~~under this chapter-~~ into the ~~city's-City's~~ stormwater system is stormwater ~~and~~, surface drainage, subsurface drainage, groundwater, roof runoff, cooling water or nonpolluted water ~~as permitted by 13.16.120(B). Such water may be discharged only into stormwater facilities which have adequate capacity for the accommodation of such water. Such dDischarged water shall must~~ comply with the ~~city's-City's~~ stormwater quality standards.

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B. ~~Stormwater and Water Quantity.~~ ~~Such water~~Stormwater and water for sources permitted under Subsection (A) ~~may only be discharged only into stormwater facilities which have adequate capacity for the accommodation of such water. The quantity of the discharge into the City's storm drain system is 0.2 cfs/acre. The rainfall intensity is based on the 10-year 24-hour storm. This rate is applicable only after any required retention is accounted for. The current retention volumes will be based on requirements of the current UPDES permit, availability of storm drain~~

infrastructure, and the capacity of the storm drain infrastructure. The City Engineer or his/her designee will provide current retention requirements.

C. Sediment and Erosion Control Plan Requirements. Any person or entity engaged in any land use or construction activity disturbing greater than or equal to one acre or is part of a larger common plan of development or sale which collectively disturbs land greater than or equal to one acre is required to submit an erosion control plan either as part of their site plan package or separately for review and approval by the City Engineer or his/her designee. The erosion control plan must meet or exceed the requirements set forth in the current UPDES permit. No construction permits will be issued and no activities will be allowed until the erosion control plan has been approved, and the BMPs identified in the erosion control plan are in place. The plan must include, at a minimum, the following:

- 1 All existing drainage ways, including intermittent and wet weather. This much include any designated floodways or flood plains;
- 2 Approximate limits of proposed clearing, grading, and filling;
- 3 Location, size, and layout of proposed stormwater and sedimentation control improvements;
- 4 Specific remediation measures or BMPs to prevent erosion and sedimentation run-off. Plans must include detailed drawings of all control measure used. Stabilization measures including vegetation and non-vegetation measures, both temporary and permanent, must be detailed. Detailed construction notes and maintenance schedule must be included for all control measures;
- 5 Specific details for the construction of rock pads, wash down pads, and settling basins for controlling erosion; access points for the site; and BMPs eliminating or limiting soil, sediment, and other debris on streets or other public ways must be included; and
- 6 Location and details for concrete washout, trash container, port-a-potty, and storage areas.

D. NOI and SWPPP requirements. All construction sites that fall under the requirements of Subsection (C) above are required to obtain an NOI from the Utah DEQ and prepare a SWPPP. The SWPPP must comply with and meet the minimum requirements of the current UPDES Storm Water General Permits for Construction Activities, as amended and posted by the Utah DEQ. (Ord. 6/15/2004O-23 § 1 (part), 2004)

#### **13.16.110 Obstruction.**

A. It is unlawful for any person to obstruct or contribute to the obstruction of the flow of stormwater runoff or nonstormwater runoff into any sump, retention basin, storm drain, curb and gutter, drain inlet, or other associated structural controls that convey stormwater ~~and~~ or nonstormwater runoff, unless the obstruction is authorized by the ~~city-City engineer-Engineer~~ or his appointee and granted with the issuance of a permit signed by the ~~city-City engineer-Engineer~~ or his appointee.

B. It is unlawful for any person to cause any obstruction that inhibits the normal flow of stormwater ~~and~~ or nonstormwater runoff in any curb and gutter, unless the obstruction is authorized by the ~~city-City engineer-Engineer~~ or his appointee and granted with the issuance of a permit signed by the ~~city-City engineer-Engineer~~ or his appointee.

C. It is unlawful for a person to cover over any drain inlet for any reason or purpose, unless the obstruction is authorized by the ~~city-City engineer-Engineer~~ or his appointee and granted with the issuance of a permit signed by the ~~city-City engineer-Engineer~~ or his appointee.

D. Subsections (A) and (B) of this ~~seetion-Section~~ shall do not apply during clean-up periods established by the ~~cityCity~~, provided the materials are placed according to any directions from the ~~city-City~~ and do not obstruct drain inlets. (Ord. 6/15/2004O-23 § 1 (part), 2004)

#### **13.16.120 Dumping and Illicit Discharge.**

A. It is unlawful for any person to dump or allow any type of debris, petroleum product, chemical, paint, pesticide, herbicide, heavy metal, acid or base product, solid or liquid waste product, hazardous waste product,

**Commented [GW5]:** This originally said Subsection (A). Was that correct or was Subsection (C) intended?

**Commented [KL6R5]:** Yes sub section c is correct

**Commented [GW7]:** Is a SWPPP required for all construction activity or only for one acre or larger, etc.? The language in Permit Part 4.2.4.1.1 doesn't say one way or another.

**Commented [KL8R7]:** Requirements only apply to 1 acre or larger etc.

**Commented [GW9]:** I'm assuming this is in reference to the bulky waste program. Is that correct? And is this permissible under our permit?

**Commented [KL10R9]:** Yes and yes

~~human or animal waste, or nonstormwater except as permitted by Subsection (B) to be dumped into any sump, detention basin, storm drain, curb and gutter, drain inlet, or other storm drainage structure that conveys stormwater and/or nonstormwater, any type of debris, petroleum product, chemical, paint, pesticide, herbicide, heavy metal, acid or base product, solid or liquid waste product, hazardous waste product, and/or human or animal waste.~~

B. The restrictions set forth in ~~subsection Subsection~~ (A) of this ~~section Section~~ shall do not apply to the normal runoff of ~~nonstormwater related to domestic home uses; for example, lawn watering, washing cars, ete.~~ uncontaminated discharges from the following sources:

1. ~~Water line flushing or other potable water sources;~~
2. ~~Landscape irrigation or lawn watering with potable water;~~
3. ~~Diverted stream flows;~~
4. ~~Rising ground water;~~
5. ~~Uncontaminated ground water infiltration;~~
6. ~~Uncontaminated pumped ground water;~~
7. ~~Foundation or footing drains;~~
8. ~~Air conditioning condensate;~~
9. ~~Discharge from crawl space pumps;~~
10. ~~Irrigation water;~~
11. ~~Springs;~~
12. ~~Individual residential car washing;~~
13. ~~Natural riparian habitat or wetland flows;~~
14. ~~Emergency firefighting activities;~~
15. ~~Residual street wash water;~~
16. ~~Dechlorinated swimming pool discharges; and~~
17. ~~Dechlorinated water reservoir discharges; and~~
18. ~~Any other uncontaminated water source.~~ (Ord. 6/15/2004O-23 § 1 (part), 2004)

#### 13.16.130 Enforcement.

A. This ~~chapter Chapter~~ may be enforced through the ~~administrative Administrative code Code enforcement-Enforcement program Program~~ of the Midvale Municipal Code, or by filing civil or criminal actions ~~in the Midvale City justice court or third district court~~. The ~~city City~~ has sole discretion to decide whether to file a civil or criminal case for a violation. The ~~city City~~ may file both, or one or the other. The possibility of an administrative remedy pursuant to administrative code enforcement ~~shall in no way interfere~~s with the ~~city's City's~~ right to prosecute violations of this ~~chapter Chapter~~ as criminal offenses. The ~~city City~~ may use any of the remedies available under the law in both civil and criminal prosecution. If the ~~city City~~ chooses to file both civil and criminal charges for the same violation, no civil penalties may be assessed, but all other remedies are available.

B. For construction-related activities, the City may take the following actions in addition to the actions permitted under Subsection (A):

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**Commented [GW11]:** Are these intended to be only available for construction-related activities, or do they need to be expanded to include anyone violating this chapter?

**Commented [KL12R11]:** A applies to anyone violating this chapter  
B refers to construction activities. The state wanted so see an escalating enforcement procedure for construction activity violations.

1. Compliance Order. A Compliance Order is a written notification issued by the City and served on the owner/operator directing the owner/operator to correct work that is out of compliance with the approved SWPPP or other development approved plans. Work is allowed to continue for the time limit identified in the Compliance Order to correct the deficiencies noted. Failure to comply with the Compliance Order will result in a Stop Work Order being issued.

**Commented [GW13]:** Can this only be served on the owner/operator or can we serve this on any representative of the owner/operator? I'm guessing we're more likely to find a representative than we are the owner/operator.

2. Stop Work Order. A Stop Work Order is a written notification issued by the City and served on the owner/operator directing the owner/operator to stop all work immediately. Work can only be resumed after the conditions and the requirements of the Stop Work Order have been met and the City has conducted an inspection and issued a Notice of Compliance. This also includes the suspension of all building inspections.

**Commented [KL14R13]:** Adding representative is a great idea

**Commented [GW15]:** See above.

3. Referral to Salt Lake County Health Department. The City will notify the Salt Lake County Health Department of any threatened discharge or public nuisance conditions that may or may not be related to construction requirements.

**Commented [GW16]:** I've inserted this language that requires an inspection and sign off from the City before work can resume. Does that work for you?

4. Abatement. Whenever a violation is identified which will result in an immediate danger to public health or safety and the violation is not immediately corrected by the responsible party, Midvale City and Salt Lake County Health Department may take whatever actions are necessary to abate the violation. The cost of such abatement shall be charged to the responsible party. (Ord. 6/15/2004O-23 § 1 (part), 2004)

**Commented [KL17R16]:** Perfect, thanks

#### **13.16.140 Annual report to stormwater utility customers.**

The city's City's public-Public works-Works department-Department shall cause-to-be will completed an annual report on the stormwater-Stormwater utility-Utility which, if accepted, shall will be approved by the city-City council-Council. This report shall summarize the financial activities of the utility-Utility and the major areas of expenditure, field activities, accomplishments, income, and the upcoming year's priorities. (Ord. 6/15/2004O-23 § 1 (part), 2004)

#### **13.16.150 Long term stormwater management agreement required.**

A. Except single family residential parcels and undeveloped parcels, Every-every parcel of real property, except single family residential parcels and undeveloped parcels, that has been developed or redeveloped on or after March 10, 2003, and disturb greater than or equal to one acre in size or projects of less than one acre that are part of a larger common plan of development which collectively disturbs land area equal to or greater than one acre, is required to have its owner enter into an agreement with the city-City that outlines the responsibilities of the owner for long term stormwater management. This agreement will be recorded with the Salt Lake County recorder's-Recorder's office-Office and will be binding on future parcel owners. Any party unwilling to enter into this agreement may be denied a business license or have its business license suspended or revoked.

**Commented [GW18]:** Permit 4.2.6.9 requires a plan to retrofit existing developed sites. Do we need to consider amending our ordinance to being dealing with this?

B. Every owner of a parcel of real property that is required to enter into an agreement under this section-Section is required to provide an bi-annual report to the city-City that outlines the maintenance procedures used to keep the parcel's stormwater facilities functioning properly.

**Commented [KL19R18]:** This refers to City owned facilities

C. Every owner of a parcel or real property that is required to enter into an agreement under this Section will also be required to develop and submit to the City a LTSWMP. The owner of a parcel of real property is solely responsible for the operation and maintenance of stormwater facilities located on the parcel. The stormwater facilities must be adequately maintained, perform in a working manner, and comply with the terms of any agreement entered into under this section-Section and with the Utah Water Quality Act, Title 19, Chapter 5 of (Utah Code Annotated)Section 19-5-101, et seq., Utah Code Annotated, as amended). At a minimum, the LTSWMP must contain the following information and a description of every BMP utilized for each category:

1. As built drawings: Provide an electronic copy of as built drawings showing the overall site, drainage plan, and all stormwater facilities including: inlet boxes, pipes, detention and retention areas, all low-impact development (LID) elements, flow restriction devices, and connection to the stormwater system;

2. Parking, sidewalk and flatwork: Describe impervious surfaces and how the maintenance proposed will affect water quality;

3. Landscaping: Describe the landscape elements used on site and how its presence and maintenance practices will affect water quality;

4. Storm Drain System: Describe the elements of the storm drain system and how its presence and maintenance practices will affect water quality;

5. Waste Management: Describe the waste management infrastructure and how its maintenance practices will affect water quality;

6. Utility System: Describe the utility infrastructure how the maintenance practices will affect water quality;

7. Snow and Ice Removal Management: Describe snow and ice removal operations and how those practices will affect water quality; and

8. Equipment/Outside Storage: Describe any outside storage facilities or operations and how they will impact water quality.

D. After providing no less than three business days' notice, city personnel are authorized to enter upon any parcel of real property that is required to have its owner enter into an agreement under this section in order to inspect the stormwater facilities on the parcel for the purpose of determining whether the parcel owner is in compliance with this section. (Ord. 2017-07 § 1 (Exh. A))

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#### **13.16.160 Inspections.**

A. Purpose: To be in accordance with its MS4 permit, the City is required to conduct inspections to monitor all stormwater controls and BMPs, as well as all discharges to the City's stormwater system and to all natural water bodies including lakes, streams, rivers, and canals.

B. Scope: Inspections relating to the MS4 permit include but are not limited to investigating illicit discharges; observing construction activities, post construction operation, and maintenance of stormwater controls; reviewing maintenance and repair records; sampling discharges, surface water, ground water, and material or water in drainage control facilities; and evaluating the condition of drainage control facilities and other BMPs either publicly or privately owned.

#### C. Access:

1. Visual inspections: Visual inspections of discharges to natural water bodies, spills, or stormwater related controls on private property within the City are permitted by the City Engineer or designee at any time.

2. Other inspections: When a visual inspection is not adequate to determine the extent of discharges to natural water bodies, spills, or to determine the status of stormwater related controls on private property, the City will give 24 hours notice of the inspection to take place and the extent of the inspection. Any equipment or personnel necessary will be allowed to access and work on the property as necessary to perform the inspection.

3. Emergency inspection: During times of emergency, including discharges to natural water bodies, spills or potential damage to life or property, the City may access the property as necessary and with the equipment required to perform the inspection. Reasonable attempts to contact the property owner prior to the inspection will be made prior to accessing the private property.

D. Follow-up inspections: If problems are identified which require corrective action, then a follow up inspection will be scheduled.

**Commented [GW20]:** Do these inspections include the LTSWMP agreement inspections? If not, I'll move 13.16.150(D) to 13.16.160(C) to put all of the inspections in one place. Currently I've removed 13.16.150(D) to avoid any conflicts with the required prior notice.

**Commented [KL21R20]:** Yes it includes the LTSWMP inspections

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <i>completed, screening must be completed and documented annually.</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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| <b>Ordinance/other Regulatory Mechanism</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <p><b>Permit Part 4.2.3.2.</b> Effectively prohibit, through ordinance or other regulatory mechanism, non-storm water discharges to the MS4, including spills, illicit connections, illegal dumping and sanitary sewer overflows (“SSOs”) into the storm sewer system, require removal of such discharges consistent with Part 4.2.3.6. of this Permit, and implement appropriate enforcement procedures and actions.</p> <p><b>Permit Part 1.2.2.2.</b> The following discharges do not need to be addressed unless the Permittee or the Executive Secretary identifies these discharges as significant source of pollutants to Waters of the State or as a causing or contributing to a violation of water quality standards: water line flushing, landscape irrigation, diverted stream flows, rising ground waters, <u>uncontaminated ground water infiltration, uncontaminated pumped ground water</u>, discharges from potable water sources, air conditioning condensate, irrigation water, springs, uncontaminated water from crawl space pumps, individual residential car washing, flows from riparian habitats and wetlands, dechlorinated swimming pool discharges, residual street wash water, dechlorinated water reservoir discharges, discharges or flows from emergency firefighting activity.</p> | <p>Ordinance 13.16.120.A prohibited dumping of any type of debris, petroleum product, chemical, paint, pesticide, herbicide, heavy metal, acid or base product, solid or liquid waste product, hazardous waste product, and/or human or animal waste into the storm system.</p> <p>Ordinance 13.16.100 prohibited discharges into the city’s stormwater system other than stormwater, surface drainage, subsurface drainage, groundwater, roof runoff, cooling water or nonpolluted water.</p> <p>Ordinance 13.16.120.B allowed normal runoff of non-stormwater related to domestic home uses; for example, lawn watering, washing cars, etc.</p> <p>The City’s ordinances came close to mirroring the list of allowable non-storm water discharges within the permit however left some distinctions out, such as stipulating that all groundwater discharges must be uncontaminated. The phrase “normal runoff of non-stormwater related to domestic home uses” in ordinance 13.16.120.B was vague and could be open to interpretation.</p> <p><b>Deficiency:</b> <i>The City’s ordinance currently allows non-stormwater discharges that are not listed as allowable in the State permit (Part 1.2.2.2). Update the ordinance to restrict non-stormwater discharges not listed in the permit.</i></p> |
| <p><b>Permit Part 4.2.3.2.</b> The Permittee shall have a variety of enforcement options in order to apply escalating enforcement procedures as necessary for the severity of violation and/or the recalcitrance of the violator. The Permittee must apply escalating enforcement procedures as necessary for the severity of violation and/or the recalcitrance of the violator</p> <p><b>Permit Part 4.2.3.2.1</b> The IDDE program must have adequate legal authority to detect, investigate, eliminate and enforce against non-storm water discharges, including illegal dumping, into the MS4. Adequate legal authority consists of an effective ordinance or other regulatory mechanism.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <p>Ordinance 13.16.130 allowed the city to use the administrative code enforcement program of the Midvale Municipal Code or file civil or criminal actions in the Midvale City justice court or third district court.</p> <p>Ordinance 7.01.130 Allowed an enforcement official to inspect public and private property, abate any nuisances, and use any remedy available under the ordinance.</p> <p>Ordinance 7.01.150 provided details on the authority to inspect to ascertain whether provisions of the Midvale Municipal Code or state codes are being obeyed and allowed photographs, sampling, surveying, etc. If the authority was refused entry then they would need to obtain a warrant.</p> <p>The SWMP stated that Midvale cooperates with SLVHD for enforcement.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

13.16.120 B

**Construction Site Storm Water Runoff Control**

Prepared by Lisa Stevens

|            |                     |             |                 |
|------------|---------------------|-------------|-----------------|
| <b>MS4</b> | <b>Midvale City</b> | <b>Date</b> | <b>3/8/2021</b> |
|------------|---------------------|-------------|-----------------|

| <b>MS4 Staff</b> | <b>Title</b>                   | <b>DWQ Staff</b>     | <b>Title</b>                     |
|------------------|--------------------------------|----------------------|----------------------------------|
| Keith Ludwig     | City Engineer                  | Lisa Stevens         | Storm Water Specialist           |
| Steve Bush       | Engineering Manager            | Leanna Littler-Woolf | MS4 Program Coordinator          |
| Dave Clark       | Storm Water Coordinator        | Kelsee York          | Storm Water Inspector            |
| Brett Bohman     | Long Term Stormwater Inspector | Ryan Curtin          | Construction Program Coordinator |
|                  |                                |                      |                                  |

**Ordinance/other Regulatory Mechanism**

**Permit Part 4.2.4.1.** Develop and adopt an ordinance or other regulatory mechanism that requires the use of erosion and sediment control practices at construction sites. The ordinance or other regulatory mechanism shall, at a minimum, be equivalent with the requirements set forth in the most current UPDES Storm Water General Permits for Construction activities which can be found at: <https://deq.utah.gov/legacy/permits/water-quality/utah-pollutant-discharge-elimination-system/storm-water-general-construction.htm>

The 2020 Annual Report stated that the City had ordinances in place that required erosion and sediment control practices. The City however was unable to cite any of these ordinances. They stated that they follow what the state has in the construction permit but do not believe that it was in ordinance.

*Deficiency: The City did not have an ordinance requiring the use of erosion and sediment control practices equivalent or greater than the requirements under the current UPDES storm water general permits for construction. City ordinance must be updated to include this.*

**Permit Part 4.2.4.1.** The ordinance or other regulatory mechanism shall include sanctions to ensure compliance.

The City stated that ordinance 13.16.130 could be used for enforcement. This ordinance however only applied to violations of chapter 13.16 which, as stated above, did not cover construction erosion and sediment control practices.

The City explained that during pre-construction meetings and site inspections they would tell the contractor their expectations for compliance with construction storm water requirements.

*Deficiency: The ordinance did not include sanctions to ensure compliance. If chapter 13.16 is updated to require construction erosion and sediment control practices then ordinance 13.16.130 can be applied, otherwise the ordinance will need to be updated to include sanctions to ensure compliance with construction permit requirements.*

13.16.130 C

13.16.130 C

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| <p><b>Permit Part 4.2.4.1.3</b> The ordinance or other regulatory mechanism shall apply, at a minimum, to construction projects disturbing greater than or equal to one acre and to construction projects of less than one acre that are part of a larger common plan of development or sale.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <p>The City's ordinance did not cover sites greater than an acre or projects less than an acre that were part of a common plan of development. The City followed the Common Plan Permit and Construction General Permit requirements but they were not in ordinance.</p> <p><i>Deficiency: City ordinance did not apply to construction projects disturbing greater than or equal to one acre and to construction projects of less than one acre that were part of a larger common plan of development or sale. The ordinance must be updated to apply to these types of construction sites.</i></p> |
| <p><b>Permit Part 4.2.4.1.1</b> The ordinance or other regulatory mechanism shall, at a minimum, require construction operators to prepare a Storm Water Pollution Prevention Plan (SWPPP) and apply sediment and erosion control Best Management Practices (BMPs) as necessary to protect water quality, reduce the discharge of pollutants, and control waste such as, but not limited to, discarded building materials, concrete truck washout, chemicals, litter and sanitary waste at the construction site that may cause adverse impacts to water quality. The SWPPP requirements must be, at a minimum, equivalent with the SWPPP requirements set forth in the most current UPDES Storm Water General Permits for Construction Activities, which can be found at: <a href="https://deq.utah.gov/legacy/permits/water-quality/utah-pollutant-discharge-elimination-system/storm-water-general-construction.htm">https://deq.utah.gov/legacy/permits/water-quality/utah-pollutant-discharge-elimination-system/storm-water-general-construction.htm</a></p> | <p>There was nothing in ordinance that required a SWPPP.</p> <p><i>Deficiency: City ordinance did not require construction operators to prepare a Storm Water Pollution Prevention Plan (SWPPP). The ordinance must be updated to require this.</i></p>                                                                                                                                                                                                                                                                                                                                              |
| <p><b>Permit Part 4.2.4.1.2</b> The ordinance shall include a provision for access by qualified personnel to inspect construction storm water BMPs on private properties that discharge to the MS4.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <p>The City did not have provisions for access to construction sites in ordinance. They mentioned to operators that they would be inspecting during pre-construction meetings.</p> <p><i>Deficiency: The ordinance did not contain provisions for access by qualified personnel to inspect construction storm water BMPs on private property. The ordinance must be updated to allow this.</i></p>                                                                                                                                                                                                   |
| <p><b>Enforcement Strategy</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <p><b>Permit Part 4.2.4.2.1</b> Develop a written enforcement strategy and implement the enforcement provisions of the ordinance or other regulatory mechanism which shall include standard operating procedures (SOPs) or similar type of documents that include specific processes and sanctions to minimize the occurrence of, and obtain compliance from violators which shall</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <p>The City did not have anything in writing which discussed the enforcement procedure. They explained everything to the contractor verbally during the pre-construction meeting.</p> <p>In practice the city was using UtiliSync for inspection logs. They would tell the contractor to get the site cleaned up and provided a deadline for corrections based on upcoming weather and the size of the site. If it was not corrected by the deadline</p>                                                                                                                                             |

13.16.100 C

13.16.100 D

13.16.100 C

## Long-Term Storm Water Management in New Development and Redevelopment (Post-Construction Storm Water Management)

Prepared by Lisa Stevens

|            |                     |             |                 |
|------------|---------------------|-------------|-----------------|
| <b>MS4</b> | <b>Midvale City</b> | <b>Date</b> | <b>3/9/2020</b> |
|------------|---------------------|-------------|-----------------|

| MS4 Staff     | Title                              |
|---------------|------------------------------------|
| Keith Ludwig  | City Engineer                      |
| Steve Bush    | Engineering Manager                |
| Dave Clark    | Storm Water Coordinator            |
| Brett Bohman  | Long Term Stormwater<br>Inspector  |
| Roland Garcia | Streets and Storm Water<br>Manager |

| DWQ Staff               | Title                   |
|-------------------------|-------------------------|
| Lisa Stevens            | Storm Water Specialist  |
| Leanna<br>Littler-Woolf | MS4 Program Coordinator |
| Kelsee York             | Storm Water Inspector   |
|                         |                         |
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| Ordinance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
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| <p><b>Permit Part 4.2.5.2.</b> Develop and adopt an ordinance or other regulatory mechanism that requires long term post-construction storm water controls at new development and redevelopment sites. The ordinance or other regulatory mechanism shall apply, at a minimum, to new development and redevelopment sites that discharge to the MS4 and that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale. Existing local requirements to apply storm water controls at smaller sites shall be retained. The ordinance or other regulatory mechanism shall require BMP selection, design, installation, operation and maintenance standards necessary to protect water quality and reduce the discharge of pollutants to the MS4.</p> | <p>The City cited ordinance 13.16.150 which required a long-term stormwater management agreement. They stated that through the review process they could make sure the project contained the 80<sup>th</sup> percentile storm.</p> <p>The long-term storm water management plan stated that stormwater facilities must be constructed in accordance with the Development Plans and specifications of the City. There were no standards or Development Plans which stated that long term post-construction controls or retention of the 80<sup>th</sup> percentile storm event was required.</p> <p><i>Deficiency: The City did not have an ordinance or other regulatory mechanism that required long term post-construction storm water controls other than the signing of the long-term stormwater maintenance agreement. Update ordinance to require BMP selection and installation on qualifying projects.</i></p> |
| <p><b>Permit Part 4.2.5.2.3</b> The ordinance or other regulatory mechanism shall include provisions for both construction-phase and post-construction access for Permittees to inspect storm water control measures on private properties that discharge to the</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <p>Ordinance 13.16.150.D allowed inspection of BMPs on private property after advanced notice of at least three business days was given.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

13.16.150 C

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| <p>MS4 to ensure that adequate maintenance is being performed. The ordinance or other regulatory mechanism may, in lieu of requiring that the Permittee's staff inspect and maintain storm water controls on private property, instead require private property owner/operators or qualified third parties to conduct maintenance and provide annual certification that adequate maintenance has been performed and the structural controls are operating as designed to protect water quality. In this case, the Permittee must require a maintenance agreement addressing maintenance requirements for any control measures installed on site. The agreement must allow the Permittee to conduct oversight inspections of the storm water control measures and also account for transfer of responsibility in leases and or deeds. The agreement must also allow the Permittee to perform necessary maintenance or corrective actions neglected by the property owner/operator, and bill or recoup costs from the property owner/operator as needed.</p> | <p>Ordinance 13.16.150.A required that all parcels, except single family residential parcels and undeveloped parcels, enter into a maintenance agreement. The maintenance agreement had a clause that allowed the City to enter the property to inspect storm water facilities and to make repairs if the owner failed to do so in a timely manner. The City stated that they did not have any storm water controls on single family residential parcels.</p> <p>Maintenance agreements were signed by the City and developer and kept at the recorder's office.</p>                                                                                          |
| <p><b>Permit Part 4.2.5.2.1.</b> Develop an enforcement strategy and implement the enforcement provisions of the ordinance or other regulatory mechanism. Procedures for enforcement of BMPs include procedures that include specific processes and sanctions to minimize the occurrence of, and obtain compliance from, chronic and recalcitrant violators which shall include appropriate, escalating enforcement procedures and actions.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <p>Enforcement for long term BMP provisions could be handled using ordinance 13.16.130. The City had not had any enforcement cases yet. They had run into some issues of people not signing the agreements but those hadn't been enforced on yet. They plan to use business licenses as an incentive to have these agreements signed. If they weren't signed they won't renew the business license.</p>                                                                                                                                                                                                                                                       |
| <p style="text-align: center;"><b>Long-Term Storm Water Management Program</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <p><b>Permit Part 4.2.5.1.</b> The Permittee's new development/redevelopment program shall have requirements or standards to ensure that any storm water controls or management practices for new development and redevelopment will prevent or minimize impacts to water quality.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <p>The City was using the maintenance agreement template from the USWAC webpage which had standards for maintaining landscaping, trash, and salt.</p> <p>The City was not sure where it was written but they stated that there was flow limitation of 0.2 cfs/acre and that they required storm drain calculations. They also were requiring the 80<sup>th</sup> percentile storm event to be retained. This was mentioned in the development meeting. Snouts and orifices were not required by the City unless they were put in the design plans.</p> <p>One LID feature was being required when doing site design. LID features might include curb cuts</p> |

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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <p>or landscape swales to drain storm water into landscaped areas.</p> <p><b>Deficiency:</b> <i>The City did not have written requirements or standards as part of their program to ensure that storm water controls will minimize impacts to water quality. The standards and requirements that were in practice must be written down to ensure consistency and enforceability.</i></p>  |
| <p><b>Permit Part 4.2.5.1.1</b> The Permittee's new development/redevelopment program should include nonstructural BMPs such as requirements and standards to minimize development in areas susceptible to erosion and sediment loss; to minimize the disturbance of native soils and vegetation; to preserve areas in the municipality that provide important water quality benefits; to implement measures for flood control; and to protect the integrity of natural resources and sensitive areas.</p>                                                                                                                                                                                                                                                                                            | <p>The City was encouraging developers to only disturb areas where disturbance was necessary. Wetland areas along the Jordan River were also being looked at during the review process to make sure they were protected.</p>                                                                                                                                                              |
| <p><b>Permit Part 4.3.5.3.2</b> For new development or redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale, the program shall include a process to evaluate and encourage a Low Impact Development (LID) approach which encourages the implementation of BMPs where practicable that infiltrate, evapotranspire or harvest and use storm water from the site to protect water quality. Structural controls may include green infrastructure practices such as rainwater harvesting, rain gardens, permeable pavement, and vegetated swales.</p>                                                                                                                                 | <p>Ordinance 13.16.070 stated that there could be a service charge credit given for on-site mitigation (for detention or retention). The City stated that no one had ever asked them about this credit and they have never used it.</p> <p>Having at least one LID element in the design was a requirement to get plan approval, therefore LID was being encourage for every project.</p> |
| <p><b>Permit Part 4.2.6.9</b> The Permittee must develop a plan to retrofit existing developed sites that are adversely impacting water quality. The retrofit plan must be developed to emphasize controls that infiltrate, evapotranspire or harvest and use storm water discharges. The plan shall include a ranking of control measures to determine those best suited for retrofitting as well as those that could later be considered for retrofitting. The Permittee must include the following when developing the criteria for the retrofit plan:</p> <ul style="list-style-type: none"> <li>• Proximity to waterbody</li> <li>• Status of waterbody to improve impaired waterbodies and protect unimpaired waterbodies</li> <li>• Hydrologic condition of the receiving waterbody</li> </ul> | <p>There was no plan to retrofit existing sites that were adversely impacting water quality.</p> <p><b>Deficiency:</b> <i>The City did not have a plan to retrofit existing developed sites that were adversely impacting water quality. A plan must be developed.</i></p>                                                                                                                |

13.16.100 B

**Midvale City**  
**2021 MS4 Audit Action Plan**

| Permit Section | Corrective Action                                                                                                                                                                     | Completion Date                                                                                                                                                                                              |
|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 4.1.3.1        | Update SWMP to include interim milestones regarding dates and goal. Identify responsible job title for the item.                                                                      | 30-Aug-21                                                                                                                                                                                                    |
| 4.2.2.3        | Include specific contact person with phone and email for public to provide input on web page where the SWMP is posted.                                                                | Completed. See the following web address:<br><a href="https://www.midvalecity.org/departments/public-works/stormwater-division">https://www.midvalecity.org/departments/public-works/stormwater-division</a> |
| 4.2.3.9.1      | Will develop a written spill/dumping response procedure                                                                                                                               | 30-Aug-21                                                                                                                                                                                                    |
| 4.2.3.3.1      | Will develop a written procedure for identifying and listing areas likely to have an illicit discharge. Will update annually                                                          | 30-Aug-21                                                                                                                                                                                                    |
| 4.2.3.3.2      | Priority area dry weather screenings will be completed and documented annually.                                                                                                       | 30-Aug-21                                                                                                                                                                                                    |
| 4.2.3.2        | Will update storm water ordinance to restrict non-stormwater discharges not listed in the permit.                                                                                     | 1-Dec-21                                                                                                                                                                                                     |
| 4.2.3.6        | Will update or create SOP's to ensure that training material matches City procedures for containing and ceasing illicit discharges.                                                   | 30-Aug-21                                                                                                                                                                                                    |
| 4.2.3.10       | Revise procedures to track/document all complaints, spills, and investigations that occur in a centralized location.                                                                  | 30-Aug-21                                                                                                                                                                                                    |
| 4.2.3.9        | Develop SOP(s) to ensure all calls received along with any follow up actions are being properly documented.                                                                           | 30-Aug-21                                                                                                                                                                                                    |
| 4.2.4.1        | Modify storm water ordinance to require the use of erosion and sediment control measures that meet or exceed current UPDES requirement during construction.                           | 1-Dec-21                                                                                                                                                                                                     |
| 4.2.4.1        | See above corrective action.                                                                                                                                                          | 1-Dec-21                                                                                                                                                                                                     |
| 4.2.4.1.3      | Modify storm water ordinance to included construction projects greater than or equal to 1 acre, and project less than one acre that are part of a common plan of development or sale. | 1-Dec-21                                                                                                                                                                                                     |
| 4.2.4.1.1      | Update storm water ordinance to require construction site operators to prepare a SWPPP.                                                                                               | 1-Dec-21                                                                                                                                                                                                     |

|                   |                                                                                                                                                             |           |
|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| 4.2.4.1.2         | Update storm water ordinance to provide a provision for qualified personnel to access private property to inspect construction storm water BMP's.           | 1-Dec-21  |
| 4.2.4.2.1         | Develop SOP(s) that explain enforcement procedures to obtain compliance from violators. Will be done in conjunction with ordinance update.                  | 1-Dec-21  |
| 4.2.4.3.1         | Review SWPPP plans during the plan review process.                                                                                                          | 30-Aug-21 |
| 4.2.4.3.2         | Create and utilize a check list for SWPPP reviews.                                                                                                          | 30-Aug-21 |
| 4.2.4.3           | Save the SWPPP checklist for at least 5 years as part of the project records.                                                                               | 30-Aug-21 |
| 4.2.4.4           | Update/create SOP(s) to address enforcement procedures and ensure all inspectors are familiar with them.                                                    | 1-Dec-21  |
| 4.2.4.4.2         | Pre land disturbance inspections need to be conducted and documented.                                                                                       | 30-Aug-21 |
| 4.2.4.4.2         | Update SWMP to include a documentation procedure for the owner/operator of a construction site to notify the City of completion of construction activities. | 30-Aug-21 |
| 4.2.4.5           | Train all staff involved in the implementation of the construction storm water program including those involved with enforcement.                           | 30-Aug-21 |
| 4.2.5.2           | Update ordinance to require BMP selection and installation on qualifying projects.                                                                          | 1-Dec-21  |
| 4.2.5.1           | Revise ordinance to include the standards and requirements that are currently in practice.                                                                  | 1-Dec-21  |
| 4.2.6.9           | Develop a plan to retrofit existing developed sites that are adversely impacting water quality and revise ordinance to include this plan.                   | 1-Dec-21  |
| 4.2.5.1.5         | Develop an SOP to document the infeasibility of implementing current permit requirements.                                                                   | 30-Aug-21 |
| 4.2.5.4/4.2.5.4.1 | Complete inventory of all post construction structural storm drain water controls for existing, developed sites.                                            | 1-Dec-21  |
| 4.2.5.2.2         | Develop SOP(s) for enforcement of post construction storm water measures                                                                                    | 1-Dec-21  |
| 4.2.6.5.3         | Develop SOP(s) for the visual and comprehensive inspection of City owned high priority site. Record and document these inspections.                         | 30-Aug-21 |
| 4.2.6.7           | Include in contract(s) of third parties doing O&M activities for the City, guidance and SOP(s) for current permit requirements.                             | 30-Aug-21 |

|                              |                                                                                                                                        |                                  |
|------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|
| Parks/Cemetery<br>Inspection | Sediment along the northern edge in the parking lot on the south side of the PW office building needs to be inspected and cleaned out. | Completed. See attached picture. |
| Parks/Cemetery<br>Inspection | Determine where floor drains in the cemetery building go and use appropriate BMPs                                                      | 30-Aug-21                        |



## MIDVALE CITY COUNCIL SUMMARY REPORT

October 19, 2021

---

**ITEM B:** Jacob Ballstaedt, representing Midvale Mill Investments LC, requests Final Subdivision approval for The Mill Phase One, a proposed 24-unit single family residential phase on 3.54 acres located at 236-264 E 8000 S in the Multifamily Residential – Medium Density (RM-12) zone.

---

### **PROJECT SUMMARY:**

**Applicant:** Jacob Ballstaedt

**Assigned Planner:** Elizabeth Arnold

**Property Address:** 236-264 E 8000 S

**Existing Parcel:** 3.54 acres

**Existing Zone:** RM-12

**Related Applications:**

1. Large Scale Master Plan – approved on April 6, 2021 by City Council.
  2. Small Scale Master Plan – approved on June 9, 2021 by Planning Commission.
  3. Preliminary Subdivision – approved on July 6, 2021 by City Council.
- 

### **BACKGROUND:**

Jacob Ballstaedt is requesting Final Subdivision approval for The Mill Phase 1. The property is in the RM-12 zone and the first phase is 3.54 acres in size and includes 24 single family units, new private streets, and one of the required common areas. A total of 6 floor plans were approved in the Small Scale Master Plan, with each floor plan having multiple options for exterior design and finishes. It is the applicant's intent to allow future buyers of the lots to determine which unit type is built on each lot.

This proposal has been reviewed by Planning Staff, the City Engineer, the Unified Fire Authority, and Public Works for compliance with the respective guidelines, policies, standards, and codes. Staff finds the proposed subdivision complies with requirements outlined in Midvale City Municipal Code 16.04.040 and 17-7-3 with some conditions of approval.

### **STAFF RECOMMENDATION:**

Approve with the following findings and conditions:

*Findings:*

1. The project is 3.54 acres and includes 24 buildable lots.
2. The project complies with Midvale City Municipal Code 16.04.040 and 17-7-3.

3. The project is consistent with preliminary plans, small scale master plan, and large scale master plan.
4. Planning Staff, the City Engineer, the Fire Marshall, and Public Works have reviewed the project and have provided a favorable recommendation.

*Conditions:*

1. Remove the existing house located at 264 E 8000 S.
2. Any conditions raised by the Planning Staff, City Engineer, Fire Marshall, or Public works shall be resolved prior to plat recording.

**POTENTIAL MOTION:**

“I move that we approve with conditions the 24-Lot Final Subdivision at 236-264 E 8000 S consistent with the findings and conditions as noted in the summary report.”

**ALTERNATIVE ACTIONS:**

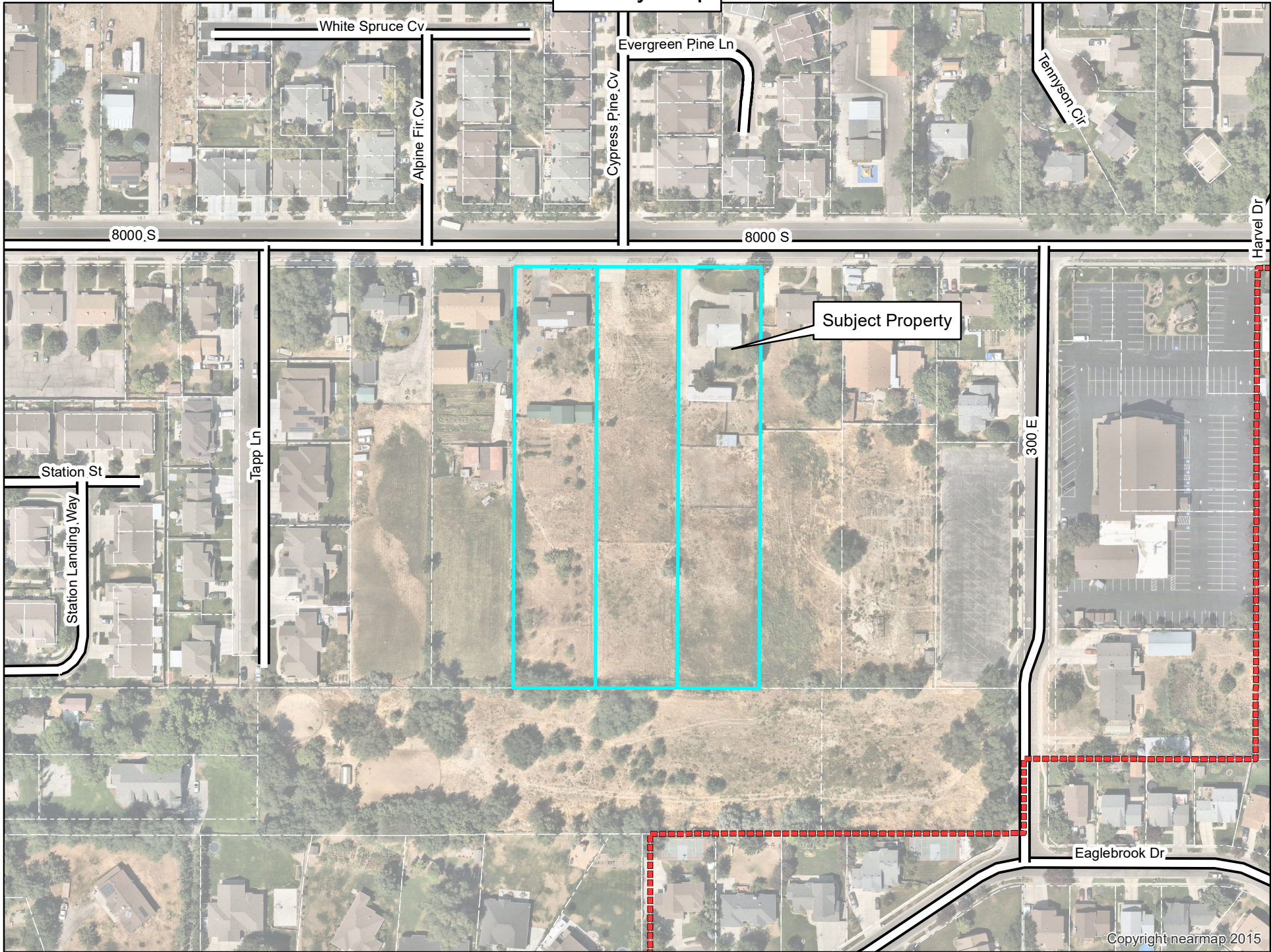
The following is a list of possible motions the City Council can take. If the action taken is inconsistent with the potential findings in this summary report, the City Council should state new findings.

1. Approve. This action may be taken if the City Council finds that the Final Subdivision request is compliant as proposed with Midvale City Code and all other applicable ordinances.
2. Approve with Conditions. This action can be taken if the City Council finds that issues can be resolved subject to the conditions noted. **\*This action would be consistent with staff analysis\***
3. Continue to a Date Certain. This action can be taken if the City Council needs additional information before making a recommendation, if there are issues that have not been resolved, or if the application is not complete.
4. Deny. This action can be taken if the City Council finds that the proposal does not meet applicable codes and/or ordinances.

**ATTACHMENTS:**

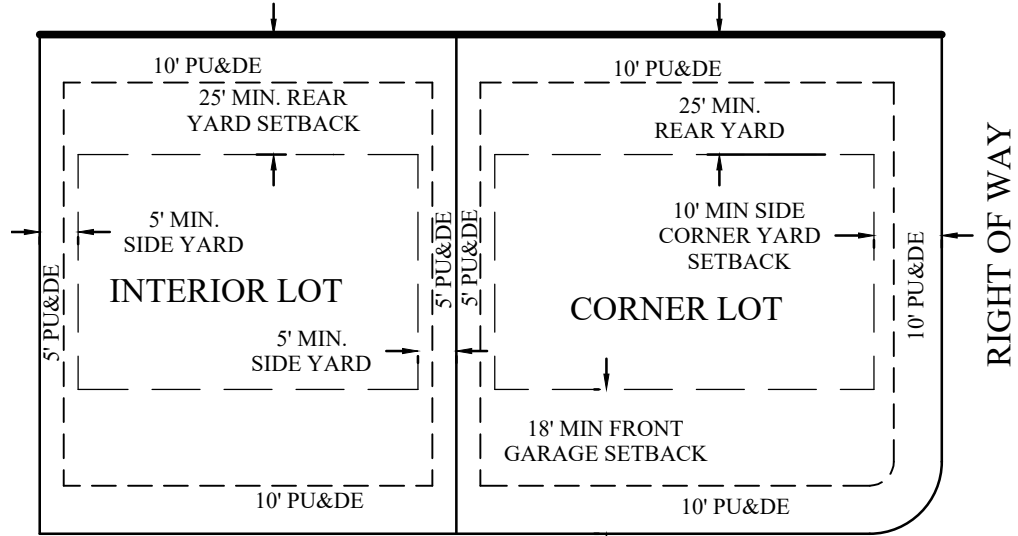
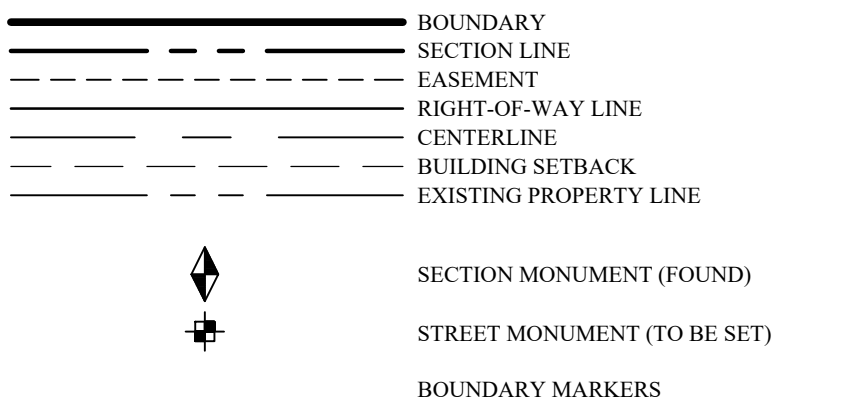
- Vicinity Map
- Phase 1 Preliminary
- Final Subdivision Plat

# Vicinity Map



VICINITY MAP  
N.T.S

## LEGEND



## RIGHT OF WAY

### TYPICAL SF1 SETBACKS

## DOMINION ENERGY UTAH

QUESTAR GAS COMPANY dba DOMINION ENERGY UTAH, HEREBY APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. DOMINION ENERGY UTAH MAY REQUIRE ADDITIONAL EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABROGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS OR LIABILITIES INCLUDING PRESCRIPTIVE RIGHTS AND OTHER RIGHTS, OBLIGATIONS OR LIABILITIES PROVIDED BY LAW OR EASEMENT. THE APPROVAL DOES NOT CONSTITUTE ACCEPTANCE OR APPROVAL OR ACKNOWLEDGEMENT OF THE TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET FORTH IN THE OWNERS DEDICATION OR THE NOTES, AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OR CONDITIONS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT DOMINION ENERGY UTAH'S RIGHT-OF-WAY DEPARTMENT AT 800-366-8532.

QUESTAR GAS COMPANY  
dba DOMINION ENERGY UTAH

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_

BY

TITLE \_\_\_\_\_

### EASEMENT APPROVAL

|                      |      |
|----------------------|------|
| QWEST COMMUNICATIONS | DATE |
| ROCKY MOUNTAIN POWER | DATE |
| COMCAST CABLE        | DATE |
| CENTURY LINK         | DATE |

**OWNER/DEVELOPER**  
**GARBETT HOMES**  
273 N. EAST CAPITOL STREET  
SALT LAKE CITY, UTAH 84103  
(801) 456-2430  
CONTACT: JACOB BALLSTAEDT

PLAT PREPARED BY



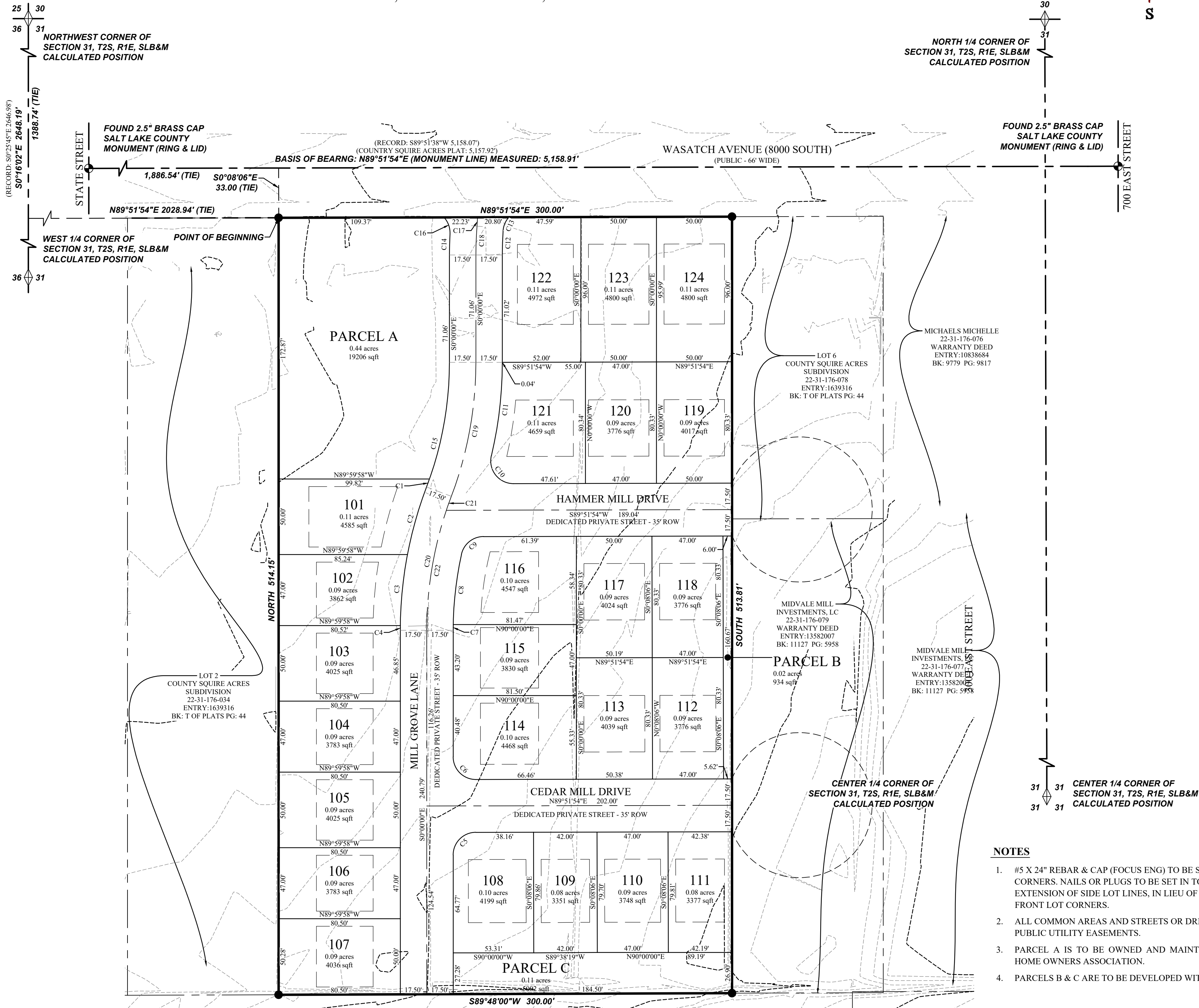
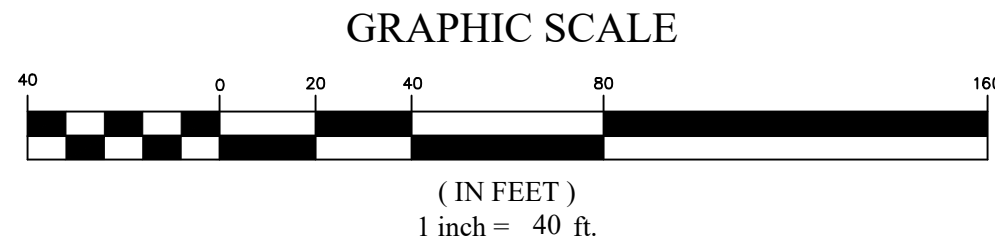
**ENGINEERING AND SURVEYING, LLC**  
6949 S. HIGH TECH DRIVE, #200  
MIDVALE, UTAH 84047 PH: (801) 352-0075  
[www.focusutah.com](http://www.focusutah.com)

# THE MILLS P.U.D. PHASE 1

## PRELIMINARY PLAT

(VACATING AND AMENDING ALL OF LOT 3 AND PART OF LOT 4 AND 5 OF COUNTRY SQUIRE ACRES SUBDIVISION)

LOCATED IN THE \_\_\_\_ 1/4 OF SECTION \_\_\_\_, T\_\_ (N/S), R\_\_ (E/W),  
SALT LAKE BASE & MERIDIAN  
MIDVALE CITY, SALT LAKE COUNTY, UTAH



## NOTES

1. #5 X 24" REBAR & CAP (FOCUS ENG) TO BE SET AT ALL LOT CORNERS, NAILS OR PLUGS TO BE SET IN TOP BACK OF CURB AT EXTENSION OF SIDE LOT LINES, IN LIEU OF REBAR AND CAPS AT FRONT LOT CORNERS.
2. ALL COMMON AREAS AND STREETS OR DRIVES TO SERVE AS PUBLIC UTILITY EASEMENTS.
3. PARCEL A IS TO BE OWNED AND MAINTAINED BY THE MILL HOME OWNERS ASSOCIATION.
4. PARCELS B & C ARE TO BE DEVELOPED WITH A FUTURE PHASE.

### ***SURVEYOR'S CERTIFICATE***

I, Evan J. Wood, do hereby certify that I am a Professional Land Surveyor, and that I hold Certificate No. 183395 in accordance with Title 58, Chapter 22 of the Professional Engineers and Land Surveyors Act; I further certify that by authority of the owners I have completed a survey of the property described on this subdivision plat in accordance with Section 17-23-17, have verified all measurements and have subdivided said tract of land into lots, blocks, and streets, together with easements, and the same has, or will be correctly surveyed, and monumented on the ground as shown on this Plat, and that this Plat is true and correct.

### **BOUNDARY DESCRIPTION**

All of Lot 3, Lot 4 and Lot 5, COUNTRY SQUIRE ACRES SUBDIVISION, according to the Official Plat recorded February 27, 1959 as Entry No. 1639316 in Book "T" of Plat at Page 44 in the office of the Salt Lake County Recorder, located in the Northwest Quarter of Section 31, Township 2 South, Range 1 East, Salt Lake Base & Meridian, Midvale City, Utah, more particularly described as follows:

Beginning on the southerly right-of-way line of 8000 South Street, being the northwest corner of Lot 3, COUNTRY SQUIRE ACRES SUBDIVISION, according to the Official Plat recorded February 27, 1959 as Entry No. 169393 in Book "T" of Plat at Page 44 in the office of the Salt Lake County Recorder, located N89°51'54" E, 1.886.54 feet along the monument line of 8000 South Street and S80°08'06" E 33.00 feet from the Salt Lake County street monument at the intersection of 8000 South Street and 8000 South Street, then along the line of 8000 South Street, S89°51'54" E 2.028.94 feet to the Northwest Corner of Section 31, T2S, R1E, SLB&M; running thence along said plat N89°51'54" S 300.00 feet to the northeast corner of Lot 5 of said plat; thence along the east boundary of said Lot 5, South 513.81 feet to the southeast corner of said Lot 5; thence along the south boundary of said plat S89°48'00" W 300.00 feet to the southwest corner of Lot 3; thence North 514.15 feet along the west line of said Lot 3 to the point of beginning.

Contains: 3.54 acres+/-

## OWNER'S DEDICATION

KNOWN ALL BY THESE PRESENT THAT WE, THE UNDERSIGNED OWNERS OF THE DESCRIBED TRACT OF LAND ABOVE, HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS AND STREETS TO HEREAFTER BE KNOWN AS

THE MILLS P.U.D. PHASE 1  
PRELIMINARY PLAT

DO HEREBY DEDICATE FOR THE PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE, AND WARRANT DEFEND, AND SAVE THE CITY HARMLESS AGAINST ANY EASEMENTS OR OTHER ENCUMBRANCES ON THE DEDICATED STREETS WHICH WILL INTERFERE WITH THE CITY'S USE, OPERATION, AND MAINTENANCE OF THE STREETS AND DO FURTHER DEDICATE THE EASEMENTS AS SHOWN FOR THE USE BY ALL SUPPLIERS OF UTILITY OR OTHER NECESSARY SERVICES.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS THIS \_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_

### ***LIMITED LIABILITY ACKNOWLEDGMENT***

STATE OF UTAH  
S.S.  
COUNTY OF \_\_\_\_\_

ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20 \_\_\_\_\_ PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE COUNTY OF \_\_\_\_\_, IN SAID STATE OF UTAH, \_\_\_\_\_, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE/SHE IS THE \_\_\_\_\_ OF \_\_\_\_\_ L.L.C., A UTAH L.L.C. AND THAT HE/SHE SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF SAID LIMITED LIABILITY COMPANY FOR THE PURPOSES THEREIN MENTIONED.

MY COMMISSION EXPIRES: \_\_\_\_\_

A NOTARY PUBLIC COMMISSIONED IN  
UTAH RESIDING IN \_\_\_\_\_ COUNTY

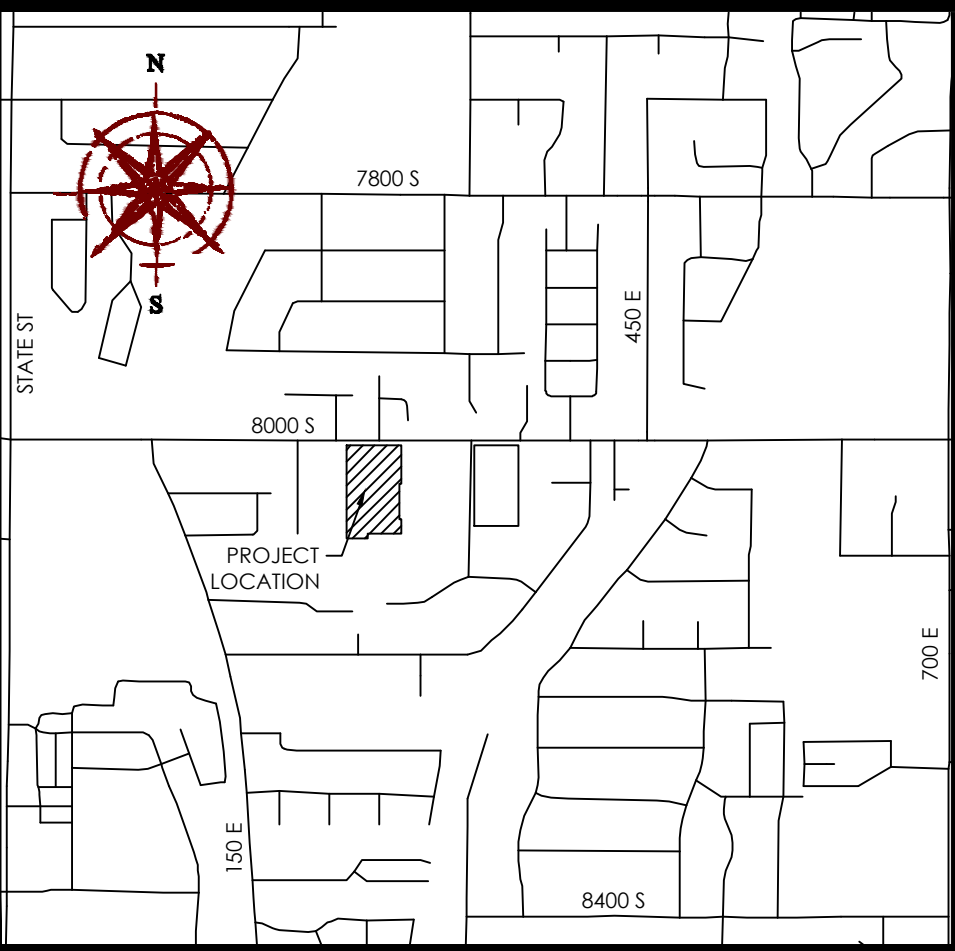
MY COMMISSION No. \_\_\_\_\_

PRINTED FULL NAME OF NOTARY \_\_\_\_\_

THE MILLS P.U.D. PHASE 1  
PRELIMINARY PLAT

(VACATING AND AMENDING ALL OF LOT 3 AND PART OF  
LOT 4 AND 5 OF COUNTRY SQUIRE ACRES SUBDIVISION)  
LOCATED IN THE \_\_\_\_ 1/4 OF SECTION \_\_\_\_, T \_\_\_\_ (N/S), R \_\_\_\_ (E/W),  
SALT LAKE BASE & MERIDIAN  
MIDVALE CITY, SALT LAKE COUNTY, UTAH

PRELIMINARY - FOR REVIEW ONLY



VICINITY MAP  
N.T.S

LEGEND

- BOUNDARY
- SECTION LINE
- PUBLIC UTILITY & DRAINAGE EASEMENT
- RIGHT-OF-WAY LINE
- CENTERLINE
- BUILDING SETBACK
- EXISTING PROPERTY LINE
- SECTION MONUMENT (FOUND)
- STREET MONUMENT (TO BE SET)
- BOUNDARY MARKERS

| Curve Table |        |            |        |                 |              |
|-------------|--------|------------|--------|-----------------|--------------|
| CURVE       | RADIUS | DELTA      | LENGTH | CHORD DIRECTION | CHORD LENGTH |
| C1          | 15.00  | 104°29'48" | 27.36  | N37°53'12"W     | 23.72        |
| C2          | 217.50 | 14°21'43"  | 54.52  | N07°10'51"E     | 54.38        |
| C3          | 217.50 | 13°38'51"  | 51.81  | S14°40'16"W     | 51.69        |
| C4          | 217.50 | 7°50'51"   | 29.79  | S03°55'25"W     | 29.77        |
| C5          | 15.00  | 89°51'54"  | 23.53  | N44°55'57"E     | 21.19        |
| C6          | 15.00  | 90°08'06"  | 23.60  | N45°04'03"W     | 21.24        |
| C12         | 182.50 | 12°08'07"  | 38.65  | N06°04'03"E     | 38.58        |
| C13         | 15.00  | 77°43'47"  | 20.35  | N51°00'00"E     | 18.82        |
| C14         | 200.00 | 19°46'18"  | 69.02  | N09°53'09"E     | 68.67        |
| C15         | 200.00 | 23°15'20"  | 81.18  | S11°37'40"W     | 80.62        |
| C16         | 200.00 | 23°15'20"  | 81.18  | N11°37'40"E     | 80.62        |
| C17         | 250.00 | 1°20'32"   | 5.86   | N03°42'31"E     | 5.86         |
| C18         | 250.00 | 4°22'48"   | 19.11  | S02°11'24"W     | 19.11        |
| C19         | 200.00 | 3°29'02"   | 12.16  | N21°30'49"E     | 12.16        |
| C23         | 15.00  | 45°52'51"  | 12.01  | N19°57'45"W     | 11.69        |
| C24         | 267.50 | 2°58'40"   | 13.90  | N01°29'20"E     | 13.90        |
| C26         | 182.50 | 23°15'20"  | 74.07  | N11°37'40"E     | 73.57        |
| C27         | 217.50 | 1°45'38"   | 6.68   | N22°22'31"E     | 6.68         |
| C28         | 15.00  | 38°14'39"  | 10.01  | S23°03'17"W     | 9.83         |
| C29         | 232.50 | 3°55'58"   | 15.96  | S01°57'59"W     | 15.96        |

| Curve Table |        |            |        |                 |              |
|-------------|--------|------------|--------|-----------------|--------------|
| CURVE       | RADIUS | DELTA      | LENGTH | CHORD DIRECTION | CHORD LENGTH |
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| C15         | 200.00 | 23°15'20"  | 81.18  | S11°37'40"W     | 80.62        |
| C16         | 200.00 | 23°15'20"  | 81.18  | N11°37'40"E     | 80.62        |
| C17         | 250.00 | 1°20'32"   | 5.86   | N03°42'31"E     | 5.86         |
| C18         | 250.00 | 4°22'48"   | 19.11  | S02°11'24"W     | 19.11        |
| C19         | 200.00 | 3°29'02"   | 12.16  | N21°30'49"E     | 12.16        |

EASEMENT APPROVAL

UTOPIA \_\_\_\_\_ DATE \_\_\_\_\_  
XFINITY \_\_\_\_\_ DATE \_\_\_\_\_  
CENTURY LINK \_\_\_\_\_ DATE \_\_\_\_\_

PLAT PREPARED BY

**FOCUS**  
ENGINEERING AND SURVEYING, LLC  
6949 S. HIGH TECH DRIVE, #200  
MIDVALE, UTAH 84047 PH: (801) 352-0075  
www.focusutah.com

NOTES

- #5 X 24" REBAR & CAP (FOCUS ENG) TO BE SET AT ALL LOT CORNERS. NAILS OR PLUGS TO BE SET IN TOP BACK OF CURB AT EXTENSION OF SIDE LOT LINES, IN LIEU OF REBAR AND CAPS AT FRONT LOT CORNERS.
- PARCEL A AND STREETS OR DRIVES TO SERVE AS PUBLIC UTILITY EASEMENTS.
- PARCEL A AND THE PRIVATE STREETS ARE TO BE OWNED AND MAINTAINED BY THE MILLS HOME OWNERS ASSOCIATION.
- PERIMETER LOTS ARE SUBJECT TO STANDARD RM-12 SETBACKS
- ON-STREET PARKING ON PRIVATE STREETS IS PROHIBITED
- BUILDING AND DRIVEWAY AREA CANNOT EXCEED MAXIMUM FOOTPRINT DEFINED IN FINAL SITE PLAT

ROCKY MOUNTAIN POWER

- Pursuant to Utah Code Ann § 54-3-27 this plat conveys to the owner(s) or operators of utility facilities a public utility easement along with all the rights and duties described therein.
- Pursuant to Utah Code Ann § 17-27a-603(4)(c)(ii) Rocky Mountain Power accepts delivery of the PUE as described in this plat and approves this plat solely for the purpose of confirming that the plat contains public utility easements and approximates the location of the public utility easements, but does not warrant their precise location. Rocky Mountain Power may require other easements in order to serve this development. This approval does not affect any right that Rocky Mountain Power has under
  - (1) A recorded easement or right-of-way
  - (2) The law applicable to prescriptive rights
  - (3) Title 54, Chapter 8a, Damage to Underground Utility Facilities, or
  - (4) Any other provision of law

ROCKY MOUNTAIN POWER \_\_\_\_\_ DATE \_\_\_\_\_

DOMINION ENERGY UTAH

QUESTAR GAS COMPANY dba DOMINION ENERGY UTAH, HEREBY APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. DOMINION ENERGY UTAH MAY REQUIRE ADDITIONAL EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABROGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS OR LIABILITIES INCLUDING PRESCRIPTIVE RIGHTS AND OTHER RIGHTS, OBLIGATIONS OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL OR ACKNOWLEDGEMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET FORTH IN THE OWNERS DEDICATION OR THE NOTES, AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OR CONDITIONS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT DOMINION ENERGY UTAH'S RIGHT-OF-WAY DEPARTMENT AT 800-366-8532.

QUESTAR GAS COMPANY  
dba DOMINION ENERGY UTAH

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_

BY \_\_\_\_\_

TITLE \_\_\_\_\_

RECORD OF SURVEY

ROS: S2019-09-0681

DATE \_\_\_\_\_ COUNTY SURVEYOR REVIEWER \_\_\_\_\_

MIDVALLEY IMPROVEMENT DISTRICT

APPROVED AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_

DIRECTOR, MIDVALLEY IMPROVEMENT DISTRICT

SALT LAKE COUNTY HEALTH DEPARTMENT

APPROVED AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_

DIRECTOR, SALT LAKE COUNTY BOARD OF HEALTH

MIDVALE CITY PLANNING COMMISSION

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_ BY THE MIDVALE CITY PLANNING COMMISSION

CHAIRMAN, MIDVALE CITY PLANNING COMMISSION

MIDVALE CITY ENGINEER

I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.

DATE \_\_\_\_\_ MIDVALE CITY ENGINEER \_\_\_\_\_

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_

MIDVALE CITY ATTORNEY

CITY COUNCIL APPROVAL

PRESENTED TO THE MIDVALE CITY COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_, AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

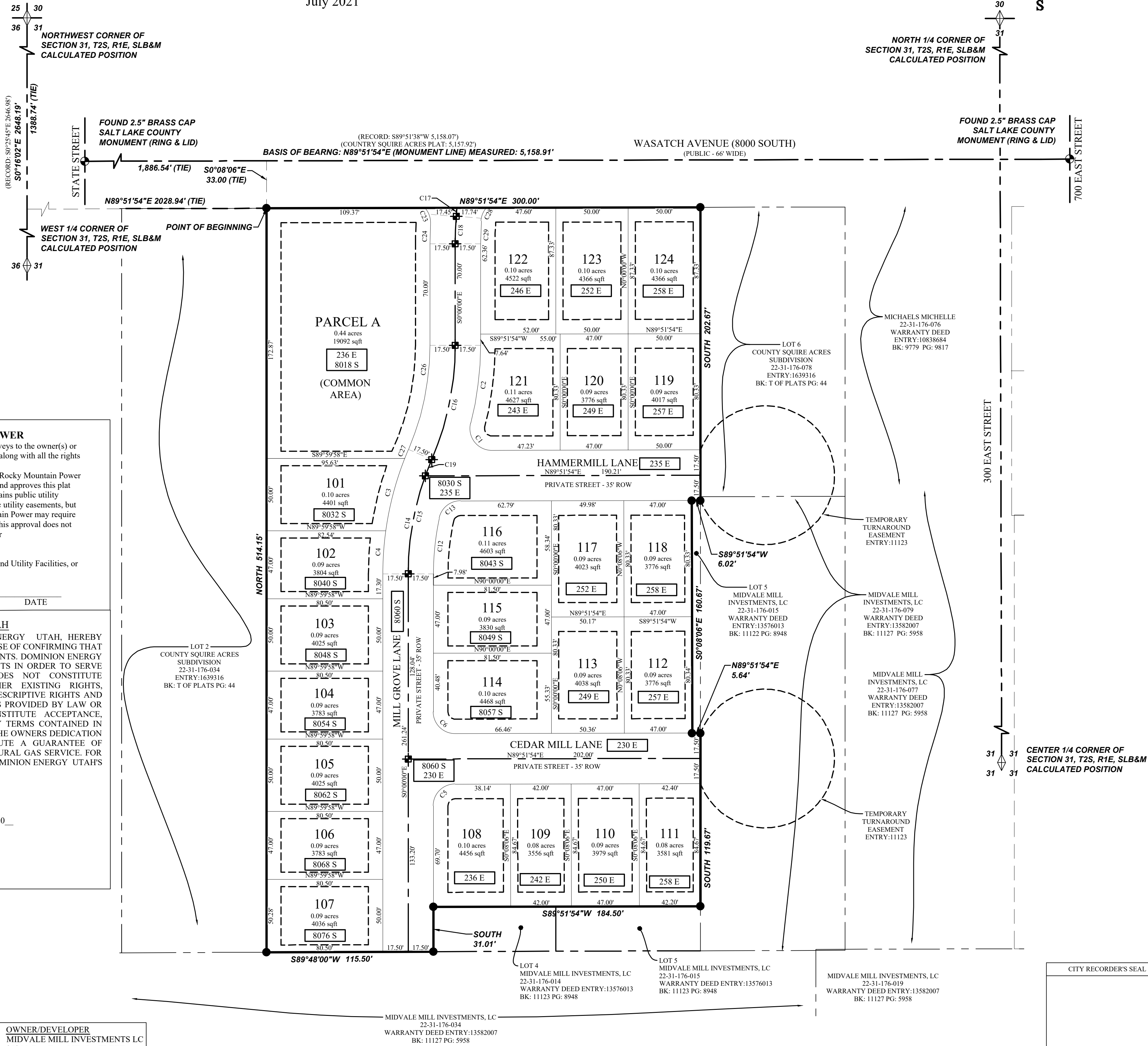
ATTEST: CITY RECORDER \_\_\_\_\_ MAYOR, MIDVALE CITY \_\_\_\_\_

# THE MILLS P.U.D. PHASE 1

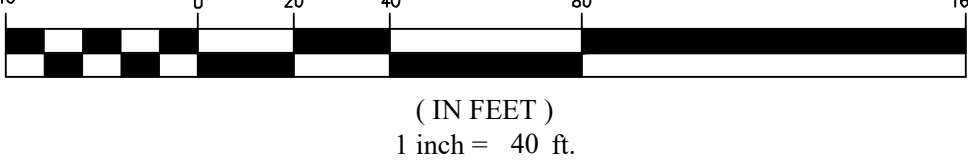
## FINAL PLAT

(VACATING AND AMENDING ALL OF LOT 3, AND PART OF LOT 4, AND 5 OF COUNTRY SQUIRE ACRES SUBDIVISION)  
LOCATED IN THE NW 1/4 OF SECTION 31, T2S, R1E,  
SALT LAKE BASE & MERIDIAN  
MIDVALE CITY, SALT LAKE COUNTY, UTAH

July 2021



GRAPHIC SCALE



NORTH 1/4 CORNER OF  
SECTION 31, T2S, R1E, SLB&M  
CALCULATED POSITION

FOUND 2.5\"/>

700 EAST STREET

300 EAST STREET

CENTER 1/4 CORNER OF  
SECTION 31, T2S, R1E, SLB&M  
CALCULATED POSITION

CITY RECORDER'S SEAL

### SURVEYOR'S CERTIFICATE

I, Evan J. Wood, do hereby certify that I am a Professional Land Surveyor, and that I hold Certificate No. 183395 in accordance with Title 58, Chapter 22 of Utah State Code. I further certify by authority of the owner(s) that I have completed a Survey of the property described on this Plat in accordance with Section 17-23-17 of said Code, have verified all measurements, and have subdivided said tract of land into lots, a parcel, streets, and easements, to be hereafter known as THE MILLS P.U.D. PHASE 1, and the same has, or will be correctly surveyed and monumented on the ground as shown on this Plat, and that this Plat is true and correct.

FOR REVIEW ONLY

EVAN J. WOOD  
PROFESSIONAL LAND SURVEYOR  
CERTIFICATE NO. 183395

DATE \_\_\_\_\_

### BOUNDARY DESCRIPTION

All of Lot 3, a part of Lot 4 and a part of Lot 5, COUNTRY SQUIRE ACRES SUBDIVISION, according to the Official Plat recorded February 27, 1959 as Entry No. 1639316 in Book "T" of Plats at Page 44 in the office of the Salt Lake County Recorder, located in the Northwest Quarter of Section 31, Township 2 South, Range 1 East, Salt Lake Base & Meridian, Midvale City, Utah, more particularly described as follows:

Beginning on the southerly right-of-way line of 8000 South Street, being the northwest corner of Lot 3, COUNTRY SQUIRE ACRES SUBDIVISION, according to the Official Plat recorded February 27, 1959 as Entry No. 1639316 in Book "T" of Plats at Page 44 in the office of the Salt Lake County Recorder, located N89°51'54"E 1,886.54 feet along the monument line of 8000 South Street and S00°08'06"E 33.00 feet from the Salt Lake County street monument at the intersection of 8000 South Street and State Street, said point also located S00°16'02"E 1,388.74 feet along the Section line and N89°51'54"E 2,028.94 feet from the Northwest Corner of Section 31, T2S, R1E, SLB&M; running thence along said plat N89°51'54"E 300.00 feet to the northeast corner of Lot 5 of said plat; thence along the east line of said Lot 5, South 202.67 feet; thence S89°51'54"W 6.02 feet; thence S0°08'06"E 160.67 feet; thence N89°51'54"E 5.64 feet to said east line of Lot 5; thence along said east line of Lot 5, South 119.67 feet; thence S89°51'54"W 184.50 feet; thence South 31.01 feet to a point on the southerly line of Lot 4 of said plat; thence along said southerly line of Lot 4 to and along the southerly line of Lot 3 of said plat S89°48'00"W 115.50 feet to the southwest corner of said Lot 3; thence along the west line of said Lot 3, North 514.15 feet to the point of beginning.

Contains: 3.39 acres +/-  
24 Lots, 3 Parcels

### OWNER'S DEDICATION

KNOWN ALL BY THESE PRESENT THAT WE, THE UNDERSIGNED OWNERS OF THE DESCRIBED TRACT OF LAND ABOVE, HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS AND STREETS TO HEREAFTER BE KNOWN AS

### THE MILLS P.U.D. PHASE 1 FINAL PLAT

DO HEREBY DEDICATE FOR THE PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE, AND WARRANT, DEFEND, AND SAVE THE CITY HARMLESS AGAINST ANY EASEMENTS OR OTHER ENCUMBRANCES ON THE DEDICATED STREETS WHICH WILL INTERFERE WITH THE CITY'S USE, OPERATION, AND MAINTENANCE OF THE STREETS AND DO FURTHER DEDICATE THE EASEMENTS AS SHOWN FOR THE USE BY ALL SUPPLIERS OF UTILITY OR OTHER NECESSARY SERVICES.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_

### LIMITED LIABILITY ACKNOWLEDGMENT

STATE OF UTAH  
S.S.  
COUNTY OF \_\_\_\_\_

ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE COUNTY OF \_\_\_\_\_, IN SAID STATE OF UTAH, \_\_\_\_\_, L.L.C., A UTAH L.L.C. AND THAT AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE/SHE IS THE \_\_\_\_\_ OF HE/SHE SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF SAID LIMITED LIABILITY COMPANY FOR THE PURPOSES THEREIN MENTIONED.

MY COMMISSION EXPIRES: \_\_\_\_\_ A NOTARY PUBLIC COMMISSIONED IN UTAH RESIDING IN \_\_\_\_\_ COUNTY

MY COMMISSION No. \_\_\_\_\_ PRINTED FULL NAME OF NOTARY \_\_\_\_\_

THE MILLS P.U.D. PHASE 1  
FINAL PLAT  
(VACATING AND AMENDING ALL OF LOT 3, LOT 4, AND 5 OF COUNTRY SQUIRE ACRES SUBDIVISION)  
LOCATED IN THE NW 1/4 OF SECTION 31, T2S, R1E,  
SALT LAKE BASE & MERIDIAN  
MIDVALE CITY, SALT LAKE COUNTY, UTAH

### RECORDED #

STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF:

DATE: \_\_\_\_\_ TIME: \_\_\_\_\_ BOOK: \_\_\_\_\_ PAGE: \_\_\_\_\_

\$ \_\_\_\_\_ SALT LAKE COUNTY RECORDER  
FEE



## **COUNCIL MEETING** *Minutes*

**Tuesday October 5, 2021**  
**Council Chambers**  
**7505 South Holden Street**  
**Midvale, Utah 84047**

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**MAYOR:** Mayor Robert M. Hale

**COUNCIL MEMBERS:** Council Member Quinn Sperry  
Council Member Dustin Gettel  
Council Member Bryant Brown  
Council Member Heidi Robinson  
Council Member Paul Glover

**STAFF:** Matt Dahl, City Manager; Kyle Maurer, Assistant City Manager; Rori Andreason, HR Director/City Recorder; Lisa Garner, City Attorney; Mariah Hill, Administrative Services Director; Glen Kennedy, Public Works Director; Laura Magness, Communications Director; Adam Olsen, Planning Director; Elizabeth Arnold, Planner; Chief Randy Thomas, UPD; Chief Brad Larson, UFA; Matt Pierce, IT Director.

### **WORKSHOP at 6:00 PM**

#### **DISCUSS EMPLOYEE RETENTION**

Matt Dahl discussed the 4/10 schedule for city hall. The Council agreed to continue with the schedule unless issues arise with having city hall closed on Fridays.

Mayor Robert Hale called the business meeting to order at 6:35 p.m.

#### **I. GENERAL BUSINESS**

##### **A. WELCOME AND PLEDGE OF ALLEGIANCE**

**B. ROLL CALL** - Council Members Heidi Robinson, Dustin Gettel, Bryant Brown, and Quinn Sperry, and Paul Glover were present at roll call.

##### **C. UNIFIED FIRE REPORT**

Chief Brad Larson reported that the construction of the new Station 125 is moving along well. Over the weekend the stations were lit in red for "Light the Night" in remembrance of fallen fire fighters. Crews are working on starting up the Adopt a School Program where they visit third graders and discuss fire safety. COVID-19 has delayed the startup of this program. The ambulance moved from Station 126 over to Station 125 to better respond to critical area calls. Several crew members in Midvale will be receiving the Unit Citation Award for assisting with a plane crash that occurred in West Jordan City last year. The awards ceremony will be held November 3<sup>rd</sup>. He said the firefighters greatly appreciate e

the assistance the Unified Police officers provide them in so many ways; they continue to have a great working relationship.

## **II. PUBLIC COMMENTS**

There was no one who desired to speak.

## **III. COUNCIL REPORTS**

**A. Council Member Heidi Robinson** – Had nothing to report.

**B. Council Member Paul Glover** – Had nothing to report.

**C. Council Member Dustin Gettel** –said he provided pizza for public works last week. It was a great visit and good to tour the building.

**D. Council Member Quinn Sperry** – said a dedicated right-hand turn lane is needed at South Union Avenue.

**E. Council Member Bryant Brown** – said he would like to see the water usage for the Adams Street Park for July and August comparing this year and last year. He encouraged residents to turn off their sprinklers.

## **IV. MAYOR REPORT**

Mayor Robert Hale reported on his attendance at the Utah League of Cities and Towns conference this past week. He said they discussed the Magna earthquake and what was learned. They also discussed growth patterns in Utah and the effects for each city. Midvale's growth rate went down last year. He said he attended a housing class 101 where he learned about different methods of housing and growth.

Captain Kelly Miller, UFA, introduced his crew from Station 125. He invited everyone to attend the Chili Cookoff on October 9<sup>th</sup> at South Towne from 9:00 a.m. to 3:00 p.m. All proceeds go to the Burn Camp.

## **V. CITY MANAGER REPORT**

Matt Dahl said the UPD Finance Committee will be meeting tomorrow. Nate Rockwood is absent so he will report on the Community Development at the next meeting. He announced that Brad Jewett is the new Emergency Manager for Midvale. He said he would reach out to council members individually regarding employee retention proposals. He discussed the holiday schedule with the employees working the 4-10 work schedule. If the holiday is observed on Friday when most of the staff are off, staff will split the holiday with half-staff working on Thursday and half-staff working on Monday. He reported that staff has received and is addressing a high number of complaints regarding neighbor's animals.

**MOTION: Council Member Paul Glover MOVED to open a public hearing. The motion was SECONDED by Council Member Heidi Robinson. Mayor**

**Hale called for discussion on the motion. There being none, he called for a vote. The motion passed unanimously.**

**VI. PUBLIC HEARINGS**

**A. CONSIDER APPROVAL OF A FINAL SUBDIVISION LOCATED AT 532-568 EAST FORT UNION BLVD**

Elizabeth Arnold said the property is in the MU zone with the 7200 S Overlay. Across Fort Union to the north is a SF-1/DO with single family homes. To the south is a SF-1/DO zone with several duplexes. There are MU zones to the east and west. All parcels along Fort Union from State St to 700 East are in the 7200 S Overlay zone. Adjacent neighborhood development includes a variety of single-family homes, duplexes, restaurants, offices, and retail and commercial. The subject site has 4 existing single-family homes with detached accessory structures that will be demolished for this project. An existing retail store occupies the northeastern corner of the block.

This proposal has been reviewed by Planning Staff, the City Engineer, the Unified Fire Authority, and Public Works for compliance with the respective guidelines, policies, standards, and codes.

Staff finds the proposed subdivision complies with requirements outlined in Midvale City Municipal Code 16.04.040, 17-7-5, and 17-7-6.

**STAFF RECOMMENDATION:**

Approve with the following findings and conditions:

*Findings:*

1. The project is 1.1 acres and includes 17 townhomes.
2. The project complies with Midvale City Municipal Code 16.04.040, 17-7-5, and 17-7-6.
3. The project is consistent with preliminary plans.
4. Planning Staff, the City Engineer, the Fire Marshall, and Public Works have reviewed the project and have provided a favorable recommendation.

*Conditions:*

1. Conditions raised by the City Engineer shall be resolved prior to plat recording.
2. Conditions raised by the Fire Marshall shall be resolved prior to plat recording.
3. The Declaration of Covenants, Conditions, and Restrictions, and the Articles of Incorporation for the homeowner's association shall be recorded concurrently with the subdivision plat.
4. Prior to the subdivision plat being recorded, Will-Serve letters shall be provided for water and sewer service.

Mayor Hale opened the hearing to public comment.

John Thornton said the units won't have any direct access to 7200 South. They are for sale units. He said they are hoping to start infrastructure as the weather permits.

Mike Davis, 518 East Fort Union, said the neighbors are a little concerned about parking. He said there is a stop sign on 525 East, but they would like a red zone there, so they don't have to deal with parking close to the corner.

Mark Allred said he lives the closest to the development and has not had a pleasant time during the demolition. He said there is no dust control, and he is not happy. He is hoping to get assurances as to a time when construction will begin in morning and end in evening. He said this is the first he's seen the plan. It would be nice for the neighbors to have more information about what the development is before it gets to this point. He said they are concerned about increased traffic.

**MOTION:** Council Member Paul Glover **MOVED** to close the public hearing. The motion was **SECONDED** by Council Member Bryant Brown. Mayor Hale called for discussion on the motion. There being none, he called for a vote. The motion passed unanimously.

**ACTION:** Consider approval of a final subdivision located at 532-568 East Fort Union Blvd

**MOTION:** Council Member Dustin Gettel **MOVED** to approve with conditions the 17-Lot final subdivision at 532-568 E Fort Union Blvd consistent with the findings and conditions as noted in the staff report. The motion was **SECONDED** by Council Member Bryant Brown. Mayor Hale called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:

|                               |     |
|-------------------------------|-----|
| Council Member Quinn Sperry   | Aye |
| Council Member Paul Glover    | Aye |
| Council Member Heidi Robinson | Aye |
| Council Member Bryant Brown   | Aye |
| Council Member Dustin Gettel  | Aye |

The motion passed unanimously.

**VII. CONSENT AGENDA**

**A. CONSIDER MINUTES OF SEPTEMBER 21, 2021**

**B. SET DATE AND TIME [OCTOBER 19, 2021 AT 7:00 P.M.] FOR A PUBLIC HEARING TO CONSIDER A TEXT AMENDMENT TO THE MIDVALE MUNICIPAL CODE REGARDING CHAPTER 13.16 STORM WATER ORDINANCE**

**MOTION:** Council Member Paul Glover **MOVED** to Approve the Consent Agenda. The motion was **SECONDED** by Council Member Bryant Brown. Mayor

**Hale called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:**

|                                      |            |
|--------------------------------------|------------|
| <b>Council Member Quinn Sperry</b>   | <b>Aye</b> |
| <b>Council Member Paul Glover</b>    | <b>Aye</b> |
| <b>Council Member Heidi Robinson</b> | <b>Aye</b> |
| <b>Council Member Bryant Brown</b>   | <b>Aye</b> |
| <b>Council Member Dustin Gettel</b>  | <b>Aye</b> |

**The motion passed unanimously.**

## **VIII. DISCUSSION ITEMS**

### **A. DISCUSS A PROPOSED TEXT AMENDMENT TO THE MIDVALE MUNICIPAL CODE REGARDING CHAPTER 13.16 STORM WATER ORDINANCE**

Keith Ludwig said Clean Water Act. This required the City to get a discharge permit from UDEQ with all its requirements, including creating a storm water management plan.

Each year the State (UDEQ) conducts audits of various cities' and counties' storm water programs to evaluate how well they are performing their storm water duties.

Early last March staff had the opportunity to spend two days being interviewed by the Division of Water Quality personnel. These meeting were held virtually. Prior to those interviews, we sent them records, reports, and other paperwork regarding our storm water program.

They also came out and did site inspections at our Public Works facility and the cemetery. There were also two construction sites inspected: the Moda Union project on Cottonwood and Millennium Drive Way, and the Holmes project at 700 West and Bingham Junction Blvd.

On May 12th of this year, we received their report of our audit outlining the deficiencies that needed to be corrected. We then had 30 days to respond with a corrective action plan and a timeline in which to complete them. Most of the items had to do with creating standard operating procedures (SOP) for our activities, documenting our activities, or doing more inspections. There were several that dealt with our storm water ordinance and changes or additions that needed to be made. Hence my visit with you this evening. After reviewing their report, we worked up a corrective action plan with some items being taken care of by August 30th and others by December 1st.

The items due by August 30<sup>th</sup> were completed and submitted well before the deadline and have been acknowledged as being complete by the State. Eight of the remaining twelve items deal with the storm water ordinance.

1. Update the ordinance to restrict non-stormwater discharges. Section 13.16.120 Dumping and Illicit Discharge was changed to more explicitly define allowed and prohibited discharges into the storm drain system.

2. Ordinance must be updated to include the requirement for the use of sediment and erosion control practices for construction. Section 13.16.100 C was added to require this.
3. Ordinance did not include sanctions to ensure compliance with erosion and sediment control measures. With the additions made to Section 13.16.100 enforcement can now be done through the ordinance.
4. Ordinance did not apply to construction projects greater than 1 acre or projects less than one acre that were part of a larger common plan of development. Section 13.16.100 C now defines these construction projects.
5. Ordinance did not require construction operators to prepare a Storm Water Pollution Prevention Plan (SWPPP). Section 13.16.100 D now requires a SWPPP to be prepared.
6. Ordinance did not contain provisions for City personnel to access and inspect construction storm water Best Management Practices (BMPs). Section 13.16.160 C was added to allow for this.
7. Ordinance did not require the use of BMPs in a projects Long Term Storm Water Management Plan (LTSWMP). Section 13.16.150 C was modified to require BMPs in the LTSWMP.
8. City did not have written requirements for allowable discharge rates into the storm drain system. Section 13.16.100 B now outlines the City's requirements.

The draft ordinance was reviewed by the City Attorney's Office as well as Lisa Stevens with the Division of Water Quality. Lisa Stevens is the City's point person at the State level that staff has been working with during the audit.

#### **IX. PRESENTATION OF CERTIFICATE OF APPRECIATION**

Chief Randy Thomas introduced Elizabeth Patino, 3LD Towing. She said Juan Morales always has something on the road he has to take care of. He doesn't ask for names he is just always willing to help when needed. She said Juan is big hearted. She said he doesn't take payment for work provides in an emergency situation.

Mayor Hale read a certificate of appreciation to Juan Morales with 3LD Towing. Mayor Hale thanked Juan for his heroism.

#### **XI. ADJOURN**

**MOTION: Council Member Paul Glover MOVED to adjourn the meeting. The motion was SECONDED by Council Member Bryant Brown. Mayor**

**Hale called for discussion on the motion. There being none, he called for a vote. The motion passed unanimously.**

The meeting adjourned at 7:44 p.m.

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

Approved this 19<sup>th</sup> day of October

PENDING



## **MIDVALE CITY COUNCIL SUMMARY REPORT**

**Meeting Date: October 19, 2021**

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**SUBJECT: Road Cut Moratorium**

**SUBMITTED BY: Nate Rockwood, CD Director & Keith Ludwig, P.E.,  
City Engineer**

**SUMMARY:**

Over the last several years the City have seen an uptake in the amount of road cuts. These can have a detrimental effect on the longevity of the lifetime of the pavement. It is especially frustrating when these cuts happen in recently rebuilt, overlaid or slurry sealed roads.

Staff has drafted and is recommending implementation of the attached road cut moratorium policy. This will help keep our roads not only looking good, but will also help with the longevity. Road cut moratoriums are common and have been implemented in several surrounding communities. The road cut moratorium policy will be ongoing.

A copy of our proposed moratorium has been included in your council packet and is summarized below:

- For new and reconstructed streets and overlaid streets, no road cut permits will be allowed for three years after the date of completion.
- For those streets recently slurry sealed, no road cuts will be allowed for one year after the date of construction.
- For an emergency situation the City Engineer will allow road cuts but the special restoration standard will apply.
- The special restoration standard will be in effect following the moratorium.
  - For new street, reconstructed streets, and overlaid streets, this standard will be in effect for three years after the moratorium ends.
  - For streets that have been slurry sealed, this standard will be in effect for one year after the moratorium ends.
  - This special restoration standard will require the asphalt surface to be restored by milling out and then overlaying the area that was impacted. This mill and overlay will be 2" in thickness, extend to 15' either side of the excavated area, and will correspond with lane widths. Those dimensions can be

**increased if deemed appropriate. For those streets that have been slurry sealed, the area 15' either side of the excavation will be re-slurried.**

- **There is also a winter emergency provision in place between November 15<sup>th</sup> and March 15<sup>th</sup>. This will require temporary asphalt in the patch that will need to be replaced and then the special restoration standards will apply once weather conditions are suitable.**

**Staff is recommending the attached Road Cut Moratorium which will be presented for adoption during the next City Council meeting.**

**FISCAL IMPACT: None**

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**Attachments:**

**Road Cut Moratorium Standards**

## Midvale City Roadcut Moratorium Standards

This standard applies to the following:

**New Streets/Reconstructed streets** – New streets/reconstructed streets shall not be cut/cored for three (3) years from the date of completed construction.

**Overlaid Streets** - Overlaid streets shall not be cut/cored for three (3) years from the date of the overlay.

**Slurry Sealed Streets** – Streets that have had a slurry seal application shall not be cut/cored for one (1) year from date of the slurry seal.

If an emergency utility cut is absolutely required within the moratorium period, the 'Special Restoration Standard' will apply. The Special Restoration Standard will continue for three (3) years after the moratorium ends for all new/reconstructed streets and overlaid streets and one (1) year for slurry sealed streets. *The city engineer reserved the right to require an overlay or a mill and overlay over the full width of the street to if necessary to restore the roadway to the original condition.*

Any new development that requires a road cut into any qualifying roads will be required to use the 'Special Restoration Standard' for restoration efforts.

### Special Restoration Standard

This standard applies to new/reconstructed street, overlaid streets, and slurry sealed streets. Prior to any mill, overlay or slurry, the trench will be restored to Midvale City's 'T' patch requirements.

**New Streets/Reconstructed Streets** – (For three years after moratorium ends), the asphalt surface shall be milled down a minimum of two (2) inches, fifteen (15) feet each way of the edge of the cut. Milling shall be done in widths equivalent to existing striped traffic lanes. Milling to be followed by a corresponding depth of asphalt overlay. City Engineer reserves the right to require a distance greater than 15 feet each way of the cut or a depth greater than two inches if deemed appropriate to restore the roadway to original conditions.

**Overlaid Streets** – (For three years after moratorium ends), the asphalt surface shall be milled down a minimum of two (2) inches, fifteen (15) feet each way of the edge of the cut. Milling shall be done in widths equivalent to existing striped traffic lanes. Milling to be followed by a corresponding depth of asphalt overlay. City Engineer reserves the right to require a distance greater than 15 feet each way of the cut or a depth greater than two inches if deemed appropriate to restore the roadway to original conditions.

**Slurry Sealed Streets** – (For one year after placement of slurry), an area of not less than fifteen (15) feet from the edge of the cut (full traffic lane width) shall be re-slurry sealed with an approved Type II slurry.

### **Winter Emergency Permits Only**

Between November 15<sup>th</sup> and March 15<sup>th</sup>, Road Cut/Excavation Permits will only be issued for emergency utility repairs and will be reviewed on a case-by-case basis. Any exceptions will need to be approved by the City Engineer and Community Development Director. It is the responsibility of the applicant/utility company to comply with any special conditions imposed by the City regarding restoration of the roadway for these emergency cuts. Asphalt placed between November 15<sup>th</sup> and March 15<sup>th</sup> will be considered temporary and will need to be replaced when weather conditions are suitable. The Special Restoration Standards will apply to those streets that qualify.



## **MIDVALE CITY COUNCIL SUMMARY REPORT**

**Meeting Date: October 19, 2021**

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**SUBJECT: Wasatch/Main Street Intersection Study**

**SUBMITTED BY: Nate Rockwood, CD Director & Keith Ludwig, P.E.,  
City Engineer**

**SUMMARY:**

**There have been concerns regarding the Main Street/Wasatch Street/West Wasatch Street intersection, especially with the development on Jordan Bluffs.**

**The City has hired Parametrix Engineering to study this intersection and develop some options on what can or should be done at this intersection.**

**We have attached their memorandum detailing their findings and outlining the options available.**

**Staff recommended option and the option recommended by Parametrix, is to make West Wasatch Street a right turn in and right turn out (RIRO). This can be done by placing a raised curb in 700 West from Wasatch Street north for 150' (see attached conceptual plan).**

**This recommendation is also the most economical. Staff recommends this as the first step in addressing the intersection issues. Once installed, staff will continue to evaluate the effectiveness of this solution. If the problems are not sufficiently addressed or new issues arise, staff will recommend if further actions are needed.**

**Staff would like City Council's input on the recommended option.**

**FISCAL IMPACT: \$35,000 (est)**

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**STAFF'S RECOMMENDATION AND MOTION: NA**

**Attachments:**

**Parametrix Memorandum  
Conceptual plan**

## MEMORANDUM

**DATE:** May 6, 2021

**TO:** Keith Ludwig, P.E., Midvale City

**FROM:** Kyle Stahley, P.E., Parametrix  
Tim Peterson, Parametrix  
Charles Allen, P.E., PTOE, Parametrix

**SUBJECT:** 8000 South Main Street Intersection Analysis Phase II

**PROJECT NUMBER:** 344-7517-005

**PROJECT NAME:** 8000 South Main Street Intersection Analysis

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### INTRODUCTION

This report is an update to the 2019 study completed by Parametrix at the intersection of 8000 South (Wasatch Street)/7990 South and Main Street in Midvale, Utah. The memo analyzes the traffic operations and safety at the study intersection and looks at potential options for realignment or changing traffic control at the intersection. Since the previous analysis was completed in 2019, development has begun within the Jordan Bluffs mixed use development, including the opening of the Bingham Junction Boulevard extension to the west and south of the study intersection, as well as the extension of Ivy Drive to the south. This latest information has been incorporated into this update of the study. An additional roundabout alternative is also evaluated as part of this updated report.

### EXISTING CONDITIONS

#### Project Background

The study intersection is located in Midvale, Utah where Main Street and 8000 South (Wasatch Street) intersect at a “T” intersection. Main Street is a north-south road stretching from Old Town Midvale on the north to a light-industrial area of Sandy City on the south. The roadway features one travel lane in each direction with a southbound left-turn pocket and a northbound right-turn pocket at the intersection of 8000 South (Wasatch Street). The speed limit for this part of Main Street is 30 mph and parking is typically allowed along the street.

8000 South (Wasatch Street) runs east-west and has one travel lane in each direction. At the intersection with Main Street, a left-turn lane and a right-turn pocket are provided for westbound vehicles. 8000 South (Wasatch Street) extends eastwardly from Main Street to 700 East in Sandy City. 8000 South (Wasatch Street) is one of the few roads that provides an east/west connection without an interchange at I-15. As such, 8000 South provides an important vehicle and pedestrian connection to both Midvale Elementary School and Midvale Middle School on the east side of I-15. The speed limit on 8000 South (Wasatch Street) is 30 mph.

The 8000 South/Main Street intersection allows free-flow movements on Main Street while the 8000 South approach is stop-controlled. There are painted crosswalks across the 8000 South leg and the north Main Street leg. The Main Street crosswalk serves significant amounts of school children and parent crossings during school hours.

Crossings are aided by a crossing guard and overhead reduced speed school zone flashers. The overhead flashers were installed in 2013.

Approximately 100 feet north of the Main Street/Wasatch Street intersection is West Wasatch Street (7990 South). This street serves residential and commercial uses and connects to Holden Street to the east. The intersection of West Wasatch with Main Street is a T-intersection with stop control for West Wasatch Street.

An aerial photo of the study intersection and roadway channelization is shown in Figure 1.

**Figure 1: Study Intersection**



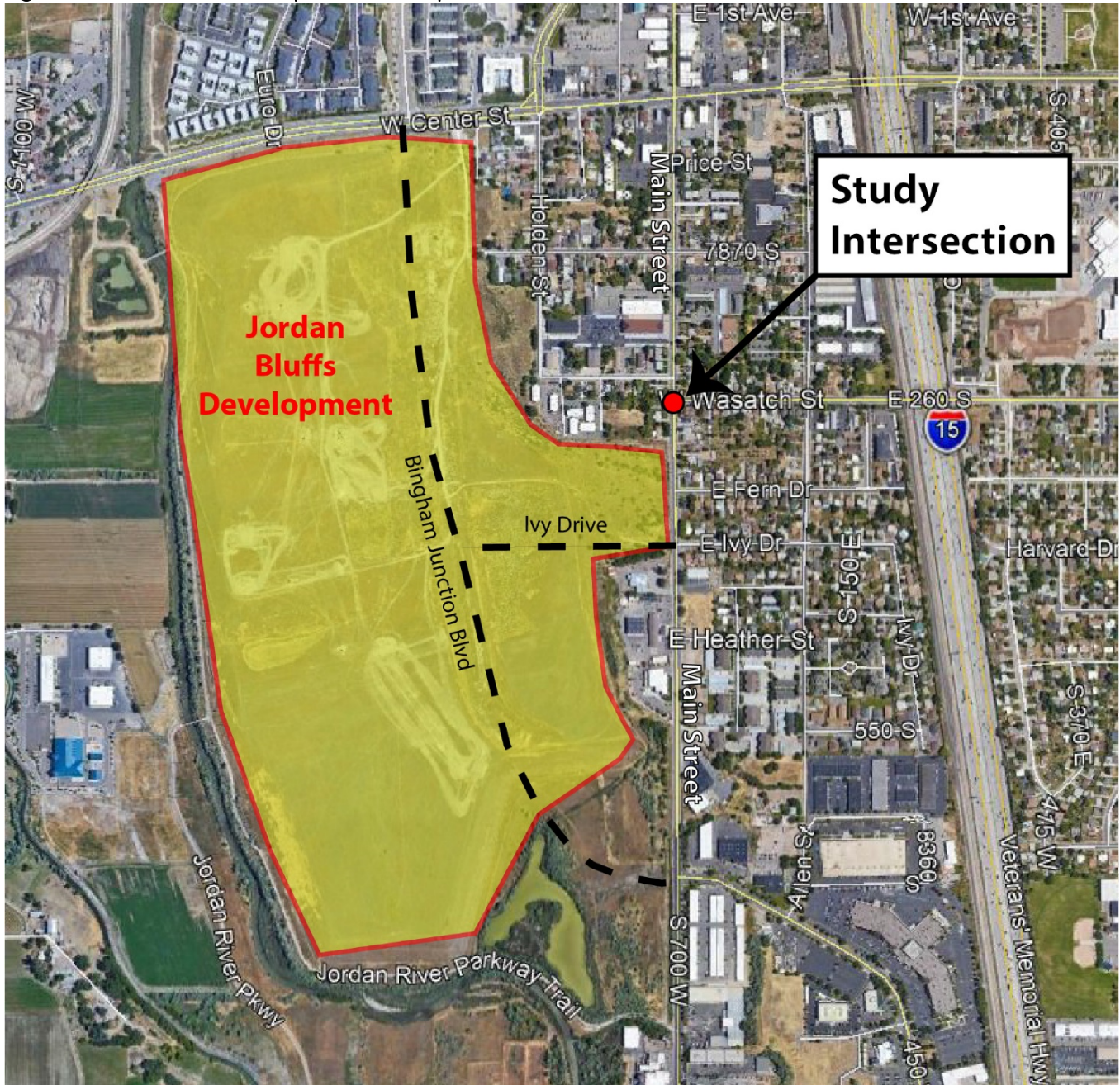
### In-Process Development

The Jordan Bluffs development is a proposed mixed-use development that lies to the west of the study intersection and Main Street. The development will consist of eight office buildings, six data center buildings as well as approximately 3350 apartment units and is currently under construction. As of 2021, approximately 800 of the apartment units have been built. Figure 2 shows the location of the Jordan Bluffs development in relation to the study intersection.

As part of the Jordan Bluffs development, Bingham Junction Boulevard has been extended from 7800 South (Center Street) through the Jordan Bluffs development to connect with Sandy Parkway at 700 West (Main Street). An additional connection to Bingham Junction Boulevard has also been provided by extending Ivy Drive west from Main Street. Access to the development is now provided via Bingham Junction Boulevard at Center Street, Ivy Drive at Main Street, and Bingham Junction Boulevard at Main Street/Sandy Parkway.

The Bingham Junction Boulevard extension from Center Street to Sandy Parkway opened in Fall 2019. This extension of Bingham Junction Boulevard has directly affected the study intersection at 8000 South/Main Street, as a percentage of north-south through traffic previously using Main Street has shifted to Bingham Junction Boulevard.

Figure 2: Jordan Bluffs Development Site Map



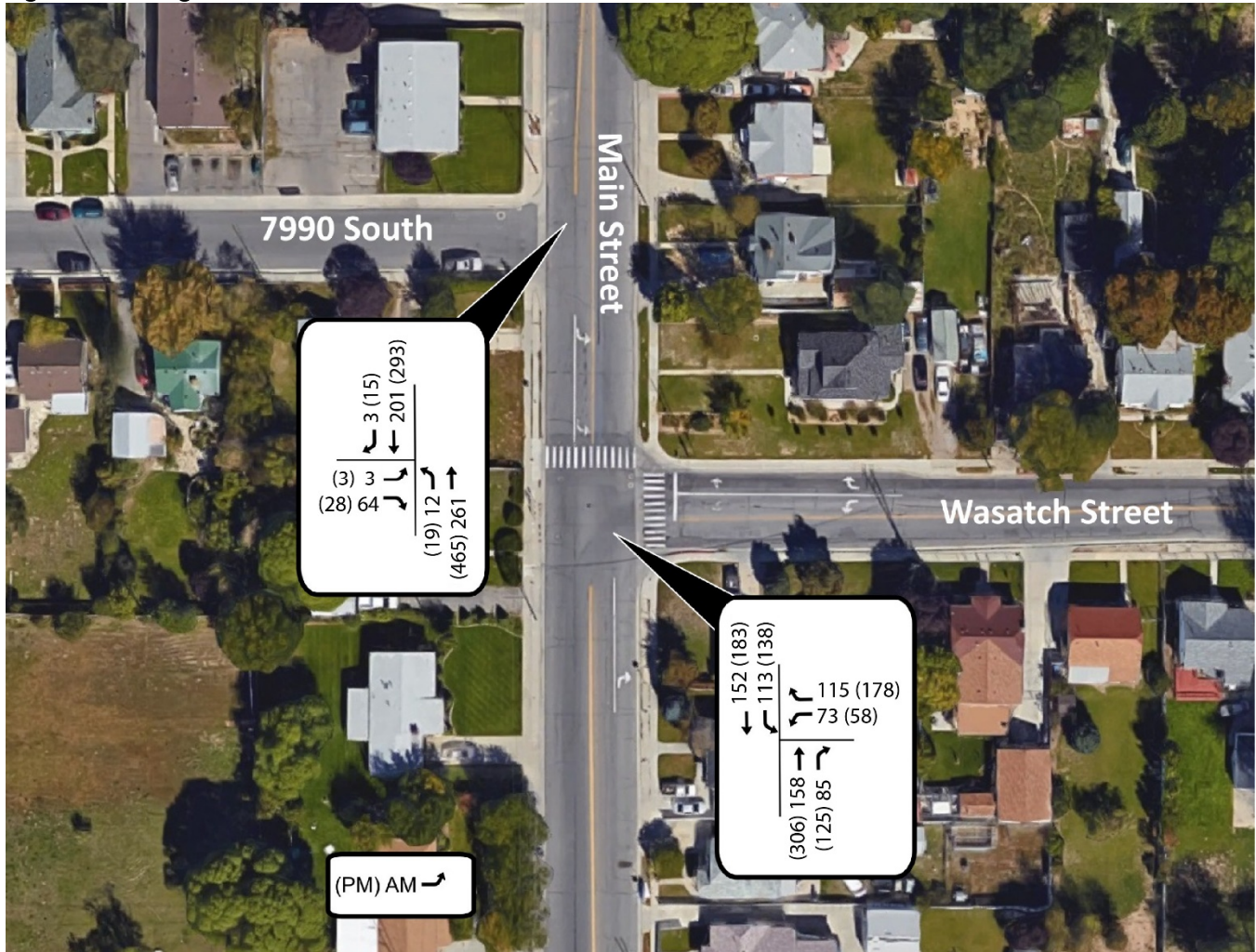
In addition to the Jordan Bluffs development, a multifamily development is planned on the southwest corner of the Main Street / Wasatch Street intersection. This development would construct a 37-unit building with access to parking on Main Street south of Wasatch Street.

## Traffic Volumes

Traffic counts were performed at the study intersection on Tuesday, February 2, 2021 during the AM and PM peak hours. Using historical counts at the intersection from the previous study, it was determined that the AM peak hour was from 7:45 AM to 8:45 AM and the PM peak hour from 4:45 PM to 5:45 PM. It should be noted that school was in session when these traffic counts were performed. A comparison of the 2021 weekday AM peak hour counts showed that traffic volumes were approximately 20 percent lower in 2021 on Main Street than the AM counts performed in 2019. The 2021 PM traffic counts were approximately 50 percent lower on Main Street than the weekday PM peak hour counts performed in 2019. The difference in volumes between 2019 and 2021 is attributed to a portion of north-south through traffic now routing to the newly opened Bingham Junction Boulevard. Additionally, traffic volumes are likely temporarily reduced slightly due to the ongoing COVID-19 pandemic – while school is in session, not all children are attending in person and a large percentage of office-based jobs are still being conducted from home which reduces commute period traffic volumes. Reductions in traffic volumes were verified by reviewing historical and current ATSPM data at the 8000 South/State Street intersection which had volumes approximately 10 to 20 percent lower as a result of the pandemic. Using the data from the ATSPM, the counted traffic volumes were increased to account for the effects of the COVID-19 reductions. Figure 3 shows the adjusted existing traffic counts at the study intersection which were used for the analysis.

During the AM peak hour, the study intersection features unique operational aspects because of the school activity as numerous children and parents utilize the crosswalk across Main Street. These crossings are aided by a crossing guard who will halt all traffic flow on Main Street as well as the overhead reduced speed school zone flashers which operate during the AM peak hour are active. School activity also occurs in the mid-afternoon when both schools let out, but this does not coincide with the weekday PM peak for vehicle traffic and has a lesser impact on overall operations.

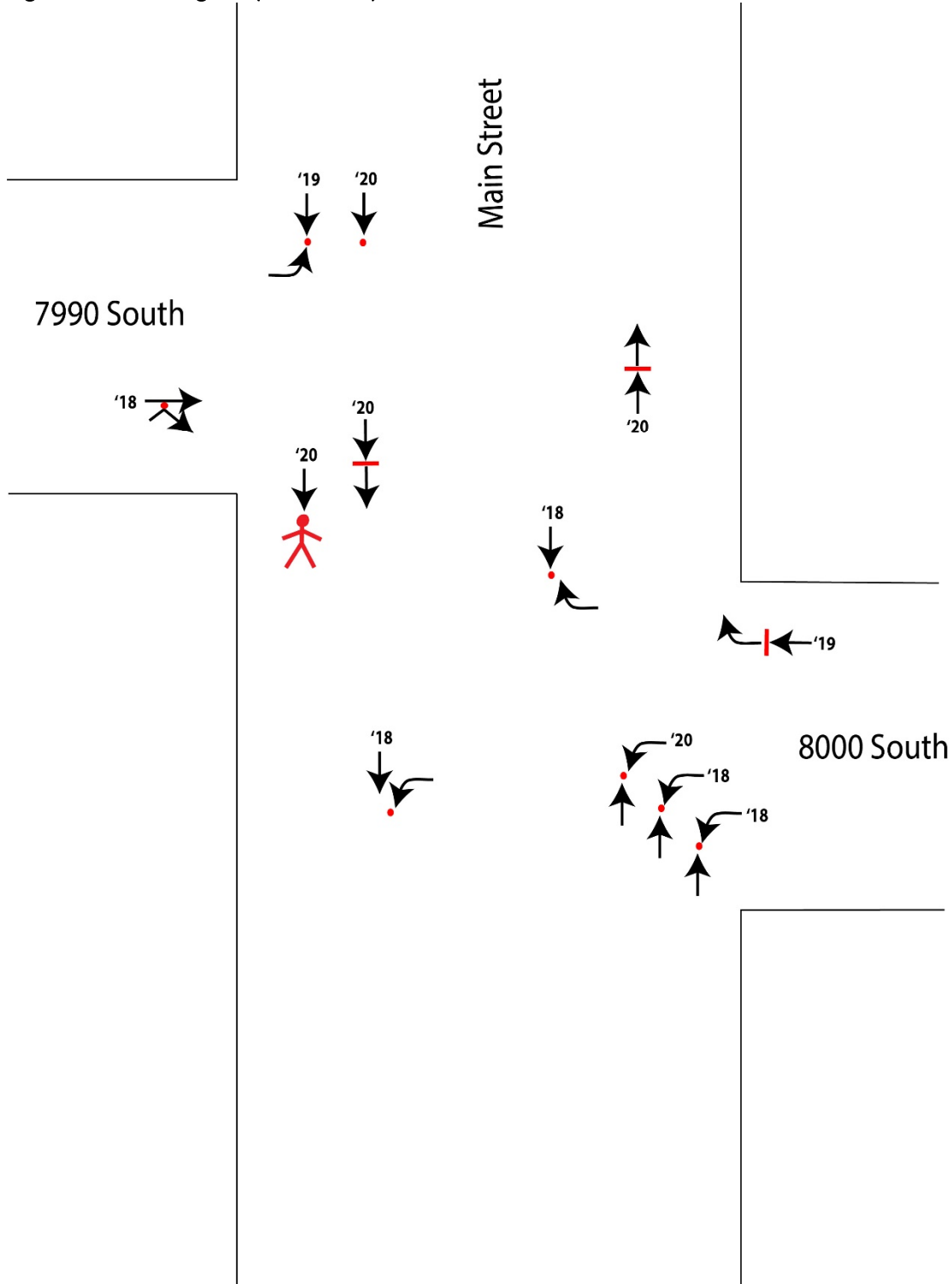
Figure 3: Existing Traffic Volumes



## Safety Data

Parametrix gathered crash data for in the vicinity of the 7990 South/8000 South/Main Street intersections from 2018 through 2020. During this three-year time period, there were 12 crashes at the two intersections, with six angle crashes, three front-to-rear crashes, one sideswipe crash, one crash with a fixed object, and one crash involving a pedestrian. There were no fatalities or serious injury crashes. Figure 4 is a crash diagram showing the year, general direction, and manner of collision for each of the crashes at the study intersection from 2018 to 2020.

Figure 4: Crash Diagram (2018-2020)



Comparing the most recent crash data with the findings in 2019, there were six fewer crashes for the three-year period 2018 to 2020 compared to the three-year period 2016 to 2018 at the study intersection. There continues to be frequent occurrences of crashes involving vehicles turning left from 8000 South failing to yield right-of-way to both northbound and southbound vehicles. This type of collision is common when there are not enough gaps in the cross-traffic stream which causes people driving to attempt turns in unsafe conditions. Since the 2019

analysis, the intersection has seen a reduction in the rear-end crashes in the northbound direction that were previously a high-percentage crash type at the intersection.

### Intersection LOS

*Synchro 10* was used to analyze the existing traffic operations analysis during the weekday AM and PM peak hours. Existing roadway channelization and characteristics as well as traffic flow characteristics from the existing traffic counts were used to evaluate level of service (LOS) and delay at the intersections. As the two offset intersections are both side-street stop-controlled, the delay from the worst movement or approach is reported and used to determine the LOS of the intersection as a whole. The results of the operations analysis are shown in Table 1, including a comparison between the current findings and the results from the 2019 study.

**Table 1: Existing Peak Hour Intersection LOS**

| Alternative   | Intersection        | Worst Approach | Level of Service (average delay)<br>[seconds/vehicle] |         |
|---------------|---------------------|----------------|-------------------------------------------------------|---------|
|               |                     |                | AM Peak                                               | PM Peak |
| 2019 Existing | West Wasatch Street | EB             | C (16)                                                | C (19)  |
|               | 8000 South          | WB             | C (19)                                                | D (34)  |
| 2021 Existing | West Wasatch Street | EB             | B (10)                                                | B (12)  |
|               | 8000 South          | WB             | B (14)                                                | B (18)  |

As shown in Table 1, during the 2019 peak hour, the 8000 South intersection operated at LOS C during the weekday AM peak hour and LOS D during the weekday PM peak hour. However, with the lower overall existing traffic volumes in 2021 even after adjusting the volumes to account for COVID-19 traffic volume reductions, the intersection currently operates at LOS B during both the AM and PM peak hours. This is consistent with in-field observations which noted less queuing on the westbound approach during the weekday PM peak hour as vehicles were able to find more gaps to turn onto Main Street. The newly installed traffic signal at Ivy Drive also helps to meter the north-south traffic on Main Street, thus allowing for more opportunities for westbound left-turn vehicles to find gaps in the traffic while the northbound traffic is stopped at the adjacent intersection. The West Wasatch Street intersection also improved from LOS C during the 2019 analysis to LOS B in 2021 during weekday peak hour conditions.

## FUTURE CONDITIONS

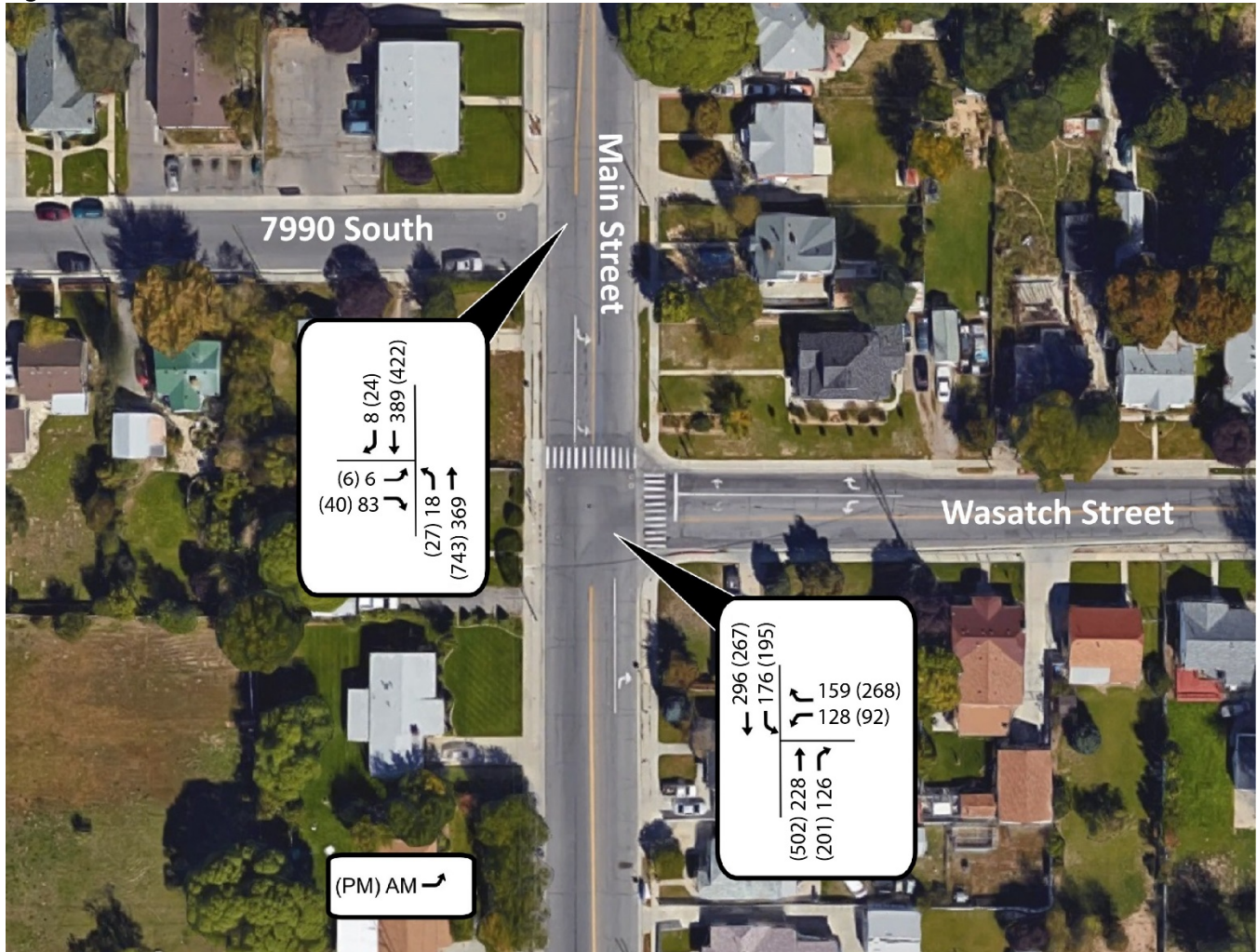
### Traffic Forecasts

Parametrix developed 2024 forecast traffic volumes for the study intersection by using future traffic projections from the *Jordan Bluffs - Traffic Study Update* (Nov 2018) by Hales Engineering, as well as using the Wasatch Front Regional Council (WFRC) regional travel demand model. The 2024 horizon year was chosen in order to be consistent with the anticipated buildout of the Jordan Bluffs development.

For this 2021 update, forecasts for future volumes were developed somewhat differently than had been done in the previous study. The project trips from the from the Jordan Bluff Study that were assigned to the Center Street/Main Street intersection, and the Ivy Drive/Main Street intersection were used to create a trip assignment at the Main Street / 8000 South intersection during the forecast 2024 horizon years. These trips were proportionally reduced using the Jordan Bluffs trip generation table to account for the 800 apartment units already constructed and opened on the Jordan Bluffs site.

Finally, trips were determined for the projected 37-unit apartment building on the southwest corner of the study intersection and added into the forecasts. The resulting volumes are the 2024 projected volumes at the study intersection with the Jordan Bluffs development and Bingham Junction Boulevard extension in place. From these 2024 projected volumes, intersection LOS and the signalized alternatives were analyzed under 2024 conditions. The future 2024 weekday AM and PM peak hour volumes are shown in Figure 5.

Figure 5: Future 2024 Traffic Volumes



Accounting for the adjustments for traffic growth at the study intersection between 2021 and 2024, the 2024 weekday AM and PM peak hour volumes at the study intersection are generally higher than existing volumes northbound and southbound, with moderate growth on the east and west legs.

### Intersection LOS with Existing Geometry

The LOS at the two intersections were evaluated during the weekday AM and PM peak hour using the 2024 forecast traffic volumes. Consistent with existing conditions, the average vehicle delay for the worst approach is reported for both of the intersections and used to determine the intersection LOS. The results of the LOS analysis are shown in Table 2.

Table 2: 2024 Peak Hour Intersection LOS with Existing Channelization

| Alternative    | Intersection        | Worst Approach | Level of Service (average delay)<br>[seconds/vehicle] |         |
|----------------|---------------------|----------------|-------------------------------------------------------|---------|
|                |                     |                | AM Peak                                               | PM Peak |
| 2021 Existing  | West Wasatch Street | EB             | B (10)                                                | B (12)  |
|                | 8000 South          | WB             | B (14)                                                | C (18)  |
| 2024 No Action | West Wasatch Street | EB             | B (13)                                                | B (14)  |
|                | 8000 South          | WB             | C (24)                                                | D (34)  |

As shown, during the 2024 forecast year the 8000 South is anticipated to operate at LOS C during the weekday AM peak hour and LOS D during the weekday PM peak hour, compared to operating at LOS B during the AM peak hour and LOS C during the PM peak hour for existing conditions. This is due to the increase in forecasted traffic volumes with the development of Jordan Bluffs and the opening of the Bingham Junction Road extension through Jordan Bluffs which has diverted some traffic growth from Main Street.

### Alternatives Evaluation

Future alternatives were evaluated both assuming the current stop-controlled traffic control as well as alternatives with the installation of a traffic signal and one with a roundabout configuration. Parametrix utilized the traffic analysis program SIDRA to evaluate roundabout performance at the intersection. The roundabout was evaluated as a single lane roundabout with one-lane approaches in each direction. Although a signal is warranted, the close proximity of the West Wasatch Street intersection presents geometric and safety challenges for signal operation due to queueing and spillback from the two intersections which could cause blockages and potential safety issues. The alternatives developed were used to determine whether these challenges can be mitigated while continuing to provide adequate operations at the two intersections. Multiple alternatives were developed and those which did not seem feasible or provide benefit to the intersection were eliminated from further evaluation. The alternatives selected for further evaluation include:

#### Unsignalized Alternatives

- A. 8000 South Stop-Controlled with Westbound to Southbound Refuge-Merge Lane + Full access to West Wasatch Street at Main Street
- B. 8000 South Stop-Controlled with Westbound to Southbound Refuge-Merge Lane + Right-turn in/right-turn out (RIRO) access for West Wasatch Street at Main Street

#### Signalized Alternatives

- C. 8000 South Signal + One-way eastbound-only access for West Wasatch Street at Main Street
- D. 8000 South Signal + Cul-de-sac for West Wasatch Street (no access to Main Street)
- E. 8000 South Signal + Right-turn in/right-turn out (RIRO) access for West Wasatch Street at Main Street
- F. A realigned four-leg intersection with 8000 South and West Wasatch Street

#### Roundabout Alternative

- G. A realigned four-leg intersection with 8000 South and West Wasatch Street in a roundabout configuration

For alternatives where streets are changed or traffic flow is restricted at West Wasatch Street, traffic volumes were reassigned to the street network. The LOS for each of the alternatives was evaluated based on the potential design alternative and using the 2024 forecasted traffic volumes with the Bingham Junction Boulevard extension in place. Table 3 below details 2024 intersection LOS for each of the alternatives.

Table 3: Alternatives 2024 Peak Hour Intersection LOS

| Alternative                      | Intersection                               | Worst Approach/<br>(V/C) <sup>1</sup> | Level of Service (average delay)<br>[seconds/vehicle] |         |
|----------------------------------|--------------------------------------------|---------------------------------------|-------------------------------------------------------|---------|
|                                  |                                            |                                       | AM Peak                                               | PM Peak |
| 2024 Baseline                    | West Wasatch Street                        | EB                                    | B (13)                                                | B (14)  |
|                                  | 8000 South                                 | WB                                    | C (24)                                                | D (34)  |
| <i>Unsignalized Alternatives</i> |                                            |                                       |                                                       |         |
| A. Refuge-Merge Lane             | West Wasatch Street                        | EB                                    | B (13)                                                | B (14)  |
|                                  | 8000 South                                 | WB                                    | C (15)                                                | C (20)  |
| B. Refuge-Merge Lane with RIRO   | West Wasatch Street                        | EB                                    | B (12)                                                | B (12)  |
|                                  | 8000 South                                 | WB                                    | C (15)                                                | C (20)  |
| <i>Signalized Alternatives</i>   |                                            |                                       |                                                       |         |
| C. One-Way EB                    | West Wasatch Street                        | EB                                    | B (12)                                                | B (14)  |
|                                  | 8000 South                                 | --                                    | A (7)                                                 | A (6)   |
| D. Cul-de-sac                    | West Wasatch Street                        | --                                    |                                                       |         |
|                                  | 8000 South                                 | --                                    | A (7)                                                 | A (6)   |
| E. RIRO                          | West Wasatch Street                        | EB                                    | B (12)                                                | B (12)  |
|                                  | 8000 South                                 | --                                    | A (7)                                                 | A (7)   |
| F. 4-leg intersection            | West Wasatch Street/8000 South/Main Street | --                                    | A (7)                                                 | A (8)   |
| <i>Roundabout</i>                |                                            |                                       |                                                       |         |
| G. Roundabout                    | West Wasatch Street/8000 South/Main Street | NB (0.66)                             | A (7)                                                 | A (6)   |

<sup>1</sup> V/C is only reported for roundabout alternative

As shown in Table 3, each of the proposed 2024 alternatives would result in acceptable LOS operations at the 8000 South intersection during the weekday AM and PM peak hours regardless whether a signal was installed or not. The 2024 roundabout alternative would also operate at acceptable LOS and V/C. The LOS results for this 2021 update to the traffic analysis show a slight improvement for all alternatives over the LOS from the 2019 analysis due to lower projected 2024 volumes at the study intersection. Similar to existing conditions, vehicle delay for the unsignalized alternatives is primarily caused by the left-turning vehicles on the westbound stop-controlled approach of 8000 South while vehicles on the free north and south movements incur little delay or queueing. As there is minimal queuing on the north and south approaches, the movements to and from the West Wasatch Street intersection are less likely to be blocked than with the traffic signal. **Alternative A** was evaluated as an option to reduce queuing and delay on the westbound 8000 South approach by installing a center refuge-merge lane for westbound-to-southbound left-turning vehicles. As shown, the delay on this approach is reduced from the baseline scenario by 14 seconds during the weekday PM peak hour which results in LOS C operations.

However, as noted previously, northbound vehicles turning left onto West Wasatch Street must wait for a gap in southbound traffic in the main northbound travel lane. This unexpected stop following the 8000 South intersection could be a contributing factor to the 6 rear-end collisions at that location in the past 4 years.

Additionally, these stopped northbound vehicles can cause traffic to queue back into the intersection with 8000 South, which creates additional congestion for all movements. **Alternative B** was evaluated to reduce this issue by converting West Wasatch Street to right-turn in, right-turn out traffic only from Main Street. This would require drivers tuning left onto West Wasatch Street to use 7870 South instead which is approximately 700 feet to the north. Overall, some drivers accessing West Wasatch Street could experience approximately 2,000 feet of out of direction travel (approximately 45 seconds of travel time) although most would experience less depending on their destination.

Both unsignalized alternatives would likely cost the least amount to install as compared to signalized intersections while providing safety and operations benefits for vehicles on all four approaches.

In addition to the unsignalized alternatives, four signalized alternatives were also reviewed for the two intersections. As mentioned, a traffic signal would reduce the delay for drivers along the 8000 South approach whereas delay for northbound and southbound traffic would increase due to the traffic control. Queuing along the north and south legs would also increase during the red signal phase which would likely increase the amount of time the West Wasatch Street intersection is blocked by queued southbound traffic.

Due to this, **Alternatives C, D, and F** remove the uncontrolled northbound left-turn onto West Wasatch Street. As shown, each of these alternatives would provide LOS C or better operations for West Wasatch Street while providing LOS A operations for the signalized 8000 South intersection. With these turn restrictions, some drivers wishing to turn into or out of West Wasatch Street would be required to use 7870 South instead which would create some out of direction travel. **Alternative F** would require the acquisition of property on the west side of the 8000 South intersection in order to create an aligned four-way intersection. This would increase the cost of the project significantly but would reduce queuing and blocking and added circulation issues while provide LOS A operations for the combined four-leg intersection.

A roundabout (**Alternative G**) was also reviewed for the study intersection. Like **Alternative F**, the roundabout assumes that the west leg of the intersection would be re-aligned to create a four-way roundabout intersection. The roundabout alternative would reduce delay and increase safety for the eastbound, westbound and northbound left-turn movements, but as with the signal alternatives, would introduce some added delay to the north-south traffic on Main Street. A roundabout would provide added pedestrian safety over the unsignalized alternatives. **Alternative G** would also require large property acquisition to accommodate a roundabout footprint and to realign West Wasatch Street with the proposed roundabout intersection.

Table 4 provides a relative comparison and the trade-offs associated with each of the alternatives. As shown in Table 4, the aligned and signalized four-leg intersection and the roundabout configuration (**Alternatives F and G**) likely provides the greatest benefits to traffic circulation and safety; however, due to the property acquisition needs would cost much more than any of the other alternatives. The signalized intersection alternatives with one-way EB, cul-de-sac, or RIRO operations at West Wasatch Street (**Alternatives C, D, and E**) provide slightly less operational and safety benefits but would cost less than the aligned four-leg intersection or roundabout.

### Table 4: 2024 Development Alternatives Comparison

[illegible]

|              |                       |     |     |     |     |     |     |
|--------------|-----------------------|-----|-----|-----|-----|-----|-----|
| Unsignalized | Baseline              | +   | +   | +   | +++ | ++  | +++ |
|              | A. Refuge-Merge Lane  | ++  | ++  | +   | +++ | +   | +++ |
|              | B. RIRO               | ++  | ++  | ++  | ++  | +   | +++ |
| Signalized   | C. One-Way EB         | +++ | +++ | +   | ++  | +++ | ++  |
|              | D. Cul-de-sac         | +++ | +++ | +++ | +   | +++ | ++  |
|              | E. RIRO               | +++ | +++ | ++  | ++  | +++ | ++  |
|              | F. 4-leg intersection | +++ | +++ | +++ | +++ | +++ | +   |
|              | G. Roundabout         | +++ | +++ | +++ | +++ | +++ | +   |

**Note:** + = Worst, ++ = Middle, +++ = Best

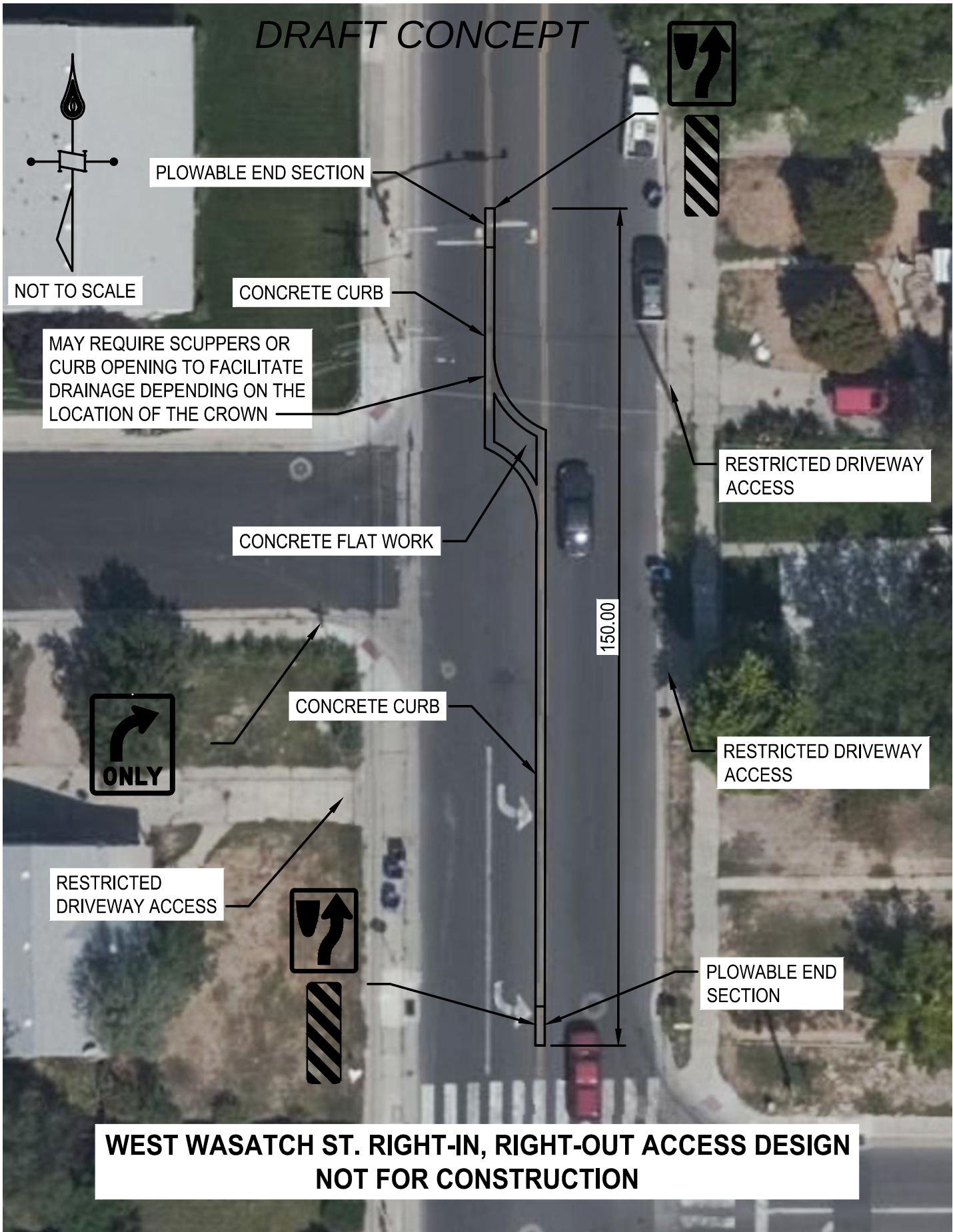
## RECOMMENDATIONS & CONCLUSIONS

This report is an update to the 2019 study conducted at the 8000 South/West Wasatch Street/Main Street intersection and includes analysis with the Bingham Junction Boulevard extension and Ivy Drive extension in place which has reduced traffic volumes on Main Street. The east (8000 South) and west (West Wasatch Street) legs of the study intersection are offset by approximately 100 feet. Existing operations and safety data for 2021 have been reviewed at the intersection. Along with consideration to planned future development to the west of Main Street, potential treatments to the two T-intersections have been outlined in this report.

A previous 2015 study conducted at the intersection showed that a traffic signal was warranted using existing traffic volumes based on the three volume-based signal warrants. Alternatives for treatments to the two intersections included maintaining the current traffic control or adding a traffic signal to the intersection. Maintaining the current traffic control would result in the lowest costs and could eliminate some of the existing safety issues; however, additional vehicle circulation could be required for some movements. With the signalized alternatives, it is likely that queueing and blocking would occur which could cause spillback of northbound vehicles to the West Wasatch Street leg or unsafe passing on the two-lane street. Alternatives for West Wasatch Street include relocating the street to tie into the signalized intersection on the west side, restricting westbound traffic, allowing right-turn in, right-turn out only restrictions, or closing the vehicle access to West Wasatch completely which would require drivers to use Holden Street and 7780 South as an alternative road.

With the Bingham Junction Boulevard extension in place, and a portion of the existing traffic on Main Street now re-routing to Bingham Junction Boulevard, the alternative recommendations from the 2019 analysis remain viable. As was found in the 2019 study, all alternatives would provide acceptable LOS at the intersection. Updated LOS results show a slight improvement over those from the 2019 analysis due to lower projected volumes at the study intersection. Overall, the four-leg intersection (**Alternative F**) and the roundabout (**Alternative G**) offer the most benefit to safety and traffic operations. However, both alternatives also require the most cost and incur the most impact to property. A less-expensive, phased approach to install a signal would be to implement **Alternative E** as an initial treatment and then convert to the four-leg intersection when funds are available. Similarly, implementing **Alternative B** offers reasonable benefits without the added costs or complexity of a traffic signal and could be considered as part of a phased approach to eventual signalization with **Alternative E** or **F**.

*DRAFT CONCEPT*





## **MIDVALE CITY COUNCIL SUMMARY REPORT**

**Meeting Date: October 19, 2021**

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**ITEM TYPE: Discussion**

**SUBJECT: Fiscal Impact of Possible Unified Police Department (UPD) Compensation Adjustments**

**SUBMITTED BY: Kyle Maurer, Assistant City Manager**

**SUMMARY:**

As discussed in multiple previous City Council meetings, the Unified Police Department is discussing possible mid-year compensation adjustments. These adjustments are necessary due to compensation adjustments made by competing agencies (such as Salt Lake City, West Valley City, South Salt Lake City, West Jordan City, South Jordan City, Sandy, Herriman, Cottonwood Heights, etc.). Currently, Unified Police Department's pay is in the last or second to last position for most positions. Staff will give an update on discussions that occurred at the October 6, 2021 Unified Police Department Finance Committee meeting.

**PLAN COMPLIANCE: N/A**

**FISCAL IMPACT:** Dependent on Increases Approved by the Unified Police Department Board

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**STAFF'S RECOMMENDATION AND MOTION:** This is for discussion only.

**Attachments:**