

ORDINANCE NO. 2015-O-09

AN ORDINANCE ESTABLISHING TEMPORARY LAND USE REGULATIONS PROHIBITING NEW DEVELOPMENT GREATER THAN 2 STORIES IN THE TRANSIT ORIENTED DEVELOPMENT (TOD) ZONE, STATE STREET COMMERCIAL (SSC) ZONE, RM-12 AND RM-25 MULTI-FAMILY ZONES.

WHEREAS, the City Council finds that the existing land use development regulations related to setbacks, buffering and building height for higher density commercial, office and residential uses are not sufficient to address the associated impacts on the adjacent single family neighborhoods; and

WHEREAS, the City Council finds that the existing land use development regulations are creating challenges in implementing appropriate physical “stepping” of building heights and setbacks to reduce the visual mass of large structures adjacent to single family neighborhoods; and

WHEREAS, the City Council finds that the existing land use development regulations are creating challenges in providing sufficient perimeter landscaping to further buffer and soften the visual impacts; and

WHEREAS, the City is currently updating the General Plan, its goals, and policies; and

WHEREAS, the City Council finds that as part of the General Plan update, the goals and policies of these areas need to be discussed in light of these challenges; and

WHEREAS, the City Council finds that it is in the public interest to review the City’s current land use regulations related to this type of development in these transition areas to determine an appropriate form of action to address this issue; and

WHEREAS, with these findings, Section 10-9a-504 U.C.A. grants the City Council the authority to establish, by ordinance, a temporary land use regulation that may prohibit or regulate the erection, construction, reconstruction, or alteration of any building or structure located in any part of the City to provide the City time to address this land use issue.

NOW, THEREFORE, be it ordained by the City Council of Midvale City, Utah the following:

(1) This temporary ordinance shall apply to all applications for new development with buildings or structures exceeding two stories in height within the Transit Oriented Development (TOD) Zone, State Street Commercial (SSC) Zone, RM-12 and RM-25 Mutli-Family Zones, as illustrated on the Midvale City Zoning Map.

(2) During the effective period of this temporary ordinance, no new development applications for projects with any buildings or structures exceeding two stories in height in the zone districts stated above shall be accepted by the Midvale City

Department of Community Development for review and consideration. This prohibition does not apply to Building Permit Applications for projects that have received prior land use approvals.


(3) This temporary ordinance shall become effective upon adoption and signature and shall be in effect until six (6) months following said adoption date.

PASSED AND APPROVED this 15th day of September, 2015.



JoAnn B. Seghini, Mayor

ATTEST:



Rori Andreason, MMC
City Recorder



Voting by City Council	"Aye"	"Nay"
Steve Brown	<input checked="" type="checkbox"/>	_____
Paul Glover	<input checked="" type="checkbox"/>	_____
Paul Hunt	<input checked="" type="checkbox"/>	_____
Wayne Sharp	<input checked="" type="checkbox"/>	_____
Quinn Sperry	<input checked="" type="checkbox"/>	_____

PUBLISHED this 20th day of September, 2015