

ORDINANCE NO. 2017-O-05

AN ORDINANCE CLARIFYING THE SETBACK LANGUAGE AND CHANGING THE REAR SETBACK REQUIREMENT IN THE STATE STREET COMMERCIAL ZONE DISTRICT; ALSO PROVIDING A SAVING CLAUSE AND AN EFFECTIVE DATE FOR THE ORDINANCE.

WHEREAS, pursuant to Sections 10-9a-501 through 10-9a-503 Utah State Code, the City has the authority to make and amend any regulation of or within the zoning district or any other provision of the land use ordinance to promote the prosperity, improve the morals, peace and good order, comfort, convenience, and aesthetics of the municipality; and

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

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

WHEREAS, the City determined a need to clarify the language for setbacks as well as change the rear setback requirement in the State Street Commercial Zone District; and

WHEREAS, the Planning Commission held a public hearing on February 22, 2017 to review the proposed text amendment language regarding this issue, with such meeting being preceded by notice through publication in the Salt Lake Tribune and Deseret News on February 8, 2017, and the Planning Commission forwarded a recommendation with specific language and formatting to the City Council on February 22, 2017; and

WHEREAS, the City Council of Midvale City, Utah held a public hearing on March 21, 2017, which meeting was preceded by notice through publication in the Salt Lake Tribune and Deseret News on March 7, 2017; and

WHEREAS, the City Council of Midvale City, Utah, after taking into consideration citizen testimony, planning analysis, and the Planning Commission recommendation, finds it is appropriate and within the best interests of the City to make these clarifications and changes in the Midvale Municipal Code.

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

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

Section 2. If any part of this ordinance or the applications thereof to any person or