



ORDINANCE 2021-41

AN ORDINANCE TO AMEND SECTION 16.5.3.I.2 OF THE MIDWAY CITY LAND USE CODE TO REDUCE THE DENSITY ALLOWED FOR MIXED-USE DEVELOPMENTS GREATER THAN ONE ACRE.

WHEREAS, pursuant to Utah Code Section 10-9a-509 the Midway City Council may formally initiate proceedings to amend city ordinances; and

WHEREAS, the Midway City Land Use Code currently allows parcels in the C-2 and C-3 zones that are at least one acre in size and have 200 feet of frontage to be developed as mixed-use projects; and

WHEREAS, the Midway City Planning Staff has recommended reducing the maximum allowed residential density in the C-2 and C-3 zones to reinforce the vision that Midway has for its Main Street; and

WHEREAS, the Midway City Council now desires to follow Planning Staff's recommendation by amending Section 16.5.3.I.2 of the Land Use Code to reduce the maximum residential density allowed in the C-2 and C-3 zones.

NOW THEREFORE, be it ordained by the City Council of Midway City, Utah, as follows:

Section 16.5.3.I.2 shall be amended to read as follows:

I. Mixed-Use Standards.

1. Lots less than one acre:

- a. Frontage: 70 feet
- b. One single-family dwelling (above, behind or detached)
- c. A minimum of 20 percent of the gross square feet of all structures on the lot must be deed restricted as commercial.

- 2. Lots greater than one acre:
 - a. Frontage: 200 feet
 - b. Up to one residential unit per acre
 - c. A minimum of 20 percent of the gross square feet of all structures on the lot must be deed-restricted as commercial.

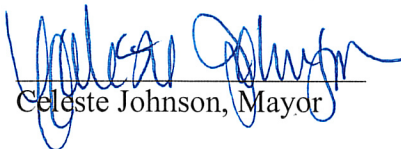
- 3. Lots greater than 25 acres:
 - a. Frontage: 200 feet
 - b. Up to one residential unit per acre
 - c. A minimum of 20 percent of the gross square feet of all structures (excluding residential garages) in the development must be deed restricted as commercial.

This Ordinance shall take effect upon publication as required by law.

PASSED AND ADOPTED by the City Council of Midway City, Wasatch County, Utah this 21st day of December 2021.

Council Member Steve Dougherty	<u>Nay</u>
Council Member Jeff Drury	<u>Aye</u>
Council Member Lisa Orme	<u>Nay</u>
Council Member Kevin Payne	<u>Aye</u>
Council Member JC Simonsen	<u>Aye</u>

APPROVED:


 Celeste Johnson, Mayor

ATTEST:


 Brad Wilson, City Recorder

APPROVED AS TO FORM:


 Corbin Gordon, City Attorney





Certificate of Passage, Posting and Publication

I certify that on 21 December 2021 the Midway City Council adopted Ordinance 2021-41 (Mixed-Use Density).

I certify that a copy of the ordinance was deposited in the office of the municipal recorder.

I certify that a full, true, and correct copy of the ordinance was posted on 10 March 2022 at the following locations:

Midway City Office Building
Midway Community Center
United States Post Office (Midway)
Ridley's Express
7-Eleven (Midway)

I certify that a summary of the ordinance was published on the Utah Public Notice Website on 10 March 2022.

I further certify that a summary of the ordinance was published in The Wasatch Wave on 16 March 2022.

Brad Wilson, Midway City Recorder

Dated 24 March 2022

