



ORDINANCE 2025-06

AN ORDINANCE TO AMEND SECTIONS 16.13.100 AND 13.13.390 OF THE MIDWAY CITY CODE TO ALLOW CHURCH STEEPLES TO EXTEND ABOVE THE MAXIMUM HEIGHT LIMIT AND SPECIFY CHURCH PARKING REQUIREMENTS.

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

WHEREAS, Section 16.13.100 of the City's Land Use Code currently contains the maximum height provisions for all buildings in Midway City; and

WHEREAS, Mike Davey, agent for the Corporation of the Presiding Bishopric of the Church of Jesus Christ of Latter-day Saints, is proposing an amendment to Section 16.13.100 to allow church steeples to reach a height of 70 feet, which is 17.5 feet higher than the current limit of 52 feet 6 inches; and

WHEREAS, the application states that allowing taller steeples on churches situated on large lots with adequate building setbacks will maintain compatibility with surrounding properties and will not negatively impact adjacent property owners; and

WHEREAS, relatedly, the City also desires to clarify and specify church-related parking requirements.

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

The Sections of the Midway City Code shall be amended as follows:

Section 16.13.100. Maximum Height Provisions for All Buildings

The height of any building shall not exceed 35 feet. The total height shall be measured as the vertical distance from the natural grade, as defined in this Title, to the highest point of a roof. To allow for unusual conditions or appurtenances the following exceptions apply:

- A. Antennas, chimneys, flues, vents, or similar structures may extend up to 5 feet above the specified maximum height limit.
- B. Water towers and mechanical equipment may extend up to 5 feet above the specified maximum height limit.
- C. Bell towers, finials, and like architectural features as well as flag poles, may extend above the specified maximum height limit by up to 50 percent of the height limit (52 feet 6 inches for a 35-foot building), but shall not contain any habitable spaces above the maximum height.
- D. The height of buildings in Resort Zones may exceed 35 feet if all the requirements of the Recreational Resort Chapter of this Title are satisfied.
- E. Special height requirements for some buildings on benches and slopes greater than 10 percent are imposed by the Sensitive Lands Chapter of this Title. These restrictions on building height shall be applied where applicable.
- F. Church steeples may extend up to 70 feet from natural grade to apex if all the following requirements are satisfied. If the following requirements are not satisfied, the maximum steeple height is 52'6".
 - 1. The church building is located on a lot that is a minimum of 3 acres.
 - 2. Steeples shall be set back from the front property line(s) or projected right(s)-of-way, whichever is greater, the minimum distance required by the zone. The height of the steeple may increase by one foot (with a beginning maximum steeple height of 52'6") for each additional foot the steeple is set back into the property, to a maximum of 70' (e.g., a 35' church height at a minimum 30' setback is allowed a steeple height of 52'6", a 35' church height at a 47'6" setback (where the minimum zone setback is 30') is allowed a steeple height of 70', a 35' church height at a minimum 50' setback is allowed a steeple height of 52'6", a 35' church height at a minimum 67'6" setback (where the minimum zone setback is 50') is allowed a steeple height of 70'). Maximum steeple height is also subject to subsection (F)(7) below.
 - 3. The steeple setbacks from the rear and side property lines are 100 feet minimum.
 - 4. The steeple shall not contain any habitable spaces above the building maximum height limit.
 - 5. The portions of the steeple above the building shall not exceed 12 feet in width or depth.
 - 6. A maximum of one steeple is allowed on the building or property.
 - 7. The maximum building-to-steeple height ratio is 1:1.5.
 - 8. No lighting of a steeple. A steeple shall not be lit from the ground or

- from other fixtures on the church or any other building or source. Light fixtures or lighting of any kind shall not be installed on or in the steeple.
9. Church steeples shall be designed and constructed to exhibit clear tapering from the base (lowest point of the steeple where it meets the main structure of the church or, for a detached steeple, from natural grade) to the apex (top of the steeple). The gradual tapering effect must be visually perceptible from public rights-of-way and surrounding properties. The average width of the top third of the steeple spire shall be less than half the width of the steeple base.

Section 13.13.390. Off-Street Parking and Loading

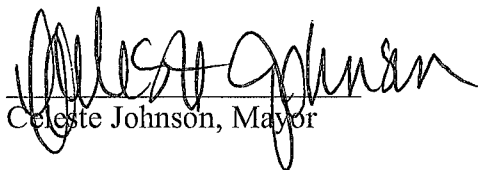
6. Churches shall have one parking space per three (3) seating spaces in the main assembly room. No parking shall be located between the front setback and the church. If the church is located on a corner lot or parcel, only one frontage will be restricted in this manner. The City Council, upon an applicant’s request, may approve a parking plan different than listed in this section based on specific circumstances of the site and building orientation or specific use of a proposal.

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 15th day of April 2025.

Council Member Jeff Drury	<u>Aye</u>
Council Member Lisa Orme	<u>Excused</u>
Council Member Kevin Payne	<u>Aye</u>
Council Member Craig Simons	<u>Aye</u>
Council Member JC Simonsen	<u>Nay</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 15 April 2025 the Midway City Council adopted Ordinance 2025-06 (Church Steeples).

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 13 May 2025 at the following locations:

Midway City Office Building
Midway Community Center
United States Post Office (Midway)
The Market Express
7-Eleven (Midway)

I certify that a summary of the ordinance was published on the Utah Public Notice Website on 13 May 2025.

I further certify that a summary of the ordinance was published in The Wasatch Wave on 21 May 2025.

The ordinance became effective on 21 May 2025 as stated in the ordinance.

Brad Wilson, Midway City Recorder

Dated 21 May 2025

