



ORDINANCE 2025-22

AN ORDINANCE TO AMEND SECTION 16.13.390(B) OF THE MIDWAY CITY CODE REGARDING PARKING UNDER OPEN SPACE.

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

WHEREAS, Midway City Code Section 16.13.390 governs off-street parking and loading, and its subsection (B) specifically governs the location and control of parking facilities; and

WHEREAS, the City by ordinance 2025-18 amended the language of Section 16.13.390(L) to allow parking below natural grade under certain specified circumstances and conditions; and the City by ordinance 2025-19 amended Section 16.13.390 B to amend subsection (2) and add a new subsection (3); and

WHEREAS, the City has considered allowing below natural grade parking under open space in certain circumstances and under certain conditions and desires to amend the language of Section 16.13.390 (B) to add a new subsection (4) to set forth the conditions under which below natural grade parking under open space might occur;

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

Section 16.13.390(B) shall be amended to add a new subsection (4) to read as follows:

16.13.390 (B) (4): In the C-2, C-3, and RZ zones, below natural grade parking is allowed under required or voluntary open space if the design of the below natural grade parking allows the open space to be visually indistinguishable from open space areas that do not have parking below. The open space shall be completely landscaped and may include any of the following: grass, gardens (including waterwise or xeriscaping), pergolas, benches, and walkways, although hardscape (such as pavers, pavement, and concrete) shall be limited to 10% of the covered parking area. Anything above 10% shall be subject to City Council discretion and approval.

Access ramps to below natural grade parking shall not have direct access from Main Street, Center Street, River Road, any collector or arterial roads as shown on the Master Street Plan, or from roads fronting the Town Square, which includes the following:

- a. 100 North (100 West to 200 West),
- b. 100 West (Main Street to 100 North), and
- c. 200 West (Main Street to 200 North).

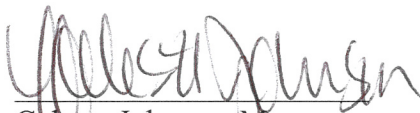
Access ramps shall not be in any required or voluntary open space.

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 19th day of August 2025.

Council Member Jeff Drury	<u>Nay</u>
Council Member Lisa Orme	<u>Aye</u>
Council Member Kevin Payne	<u>Aye</u>
Council Member Craig Simons	<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 19 August 2025 the Midway City Council adopted Ordinance 2025-22 (Parking Under Open Space).

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

I certify that a summary of the ordinance was posted on 4 December 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 4 December 2025.

I certify that a summary of the ordinance was also published on Midway City's website on 4 December 2025.

Brad Wilson, Midway City Recorder

Dated 4 December 2025

