



**Midway**

**CITY COUNCIL STAFF REPORT**

**DATE OF MEETING:** August 19, 2025

**NAME OF APPLICANT:** Paul Berg as agent for Midway Heritage Land Holding LLC (Southill)

**LOCATION OF PROPERTY:** 565 E Main Street, Midway

**AGENDA ITEM:** Ordinance 2025-22  
Parking under Open Space

**ITEM: 8**

Ordinance 2025-22, Parking Under Open Space: Proposed code text amendment to Midway City Code Section 16.13.390: Off-Street Parking and Loading, B. Location and Control of Parking Facilities.

**BACKGROUND:**

The Midway Municipal Code regulates location and control of parking facilities at Section 16.13.390 (B), which historically has not allowed multilevel parking. On July 15, 2025, however, pursuant to an application from Paul Berg on behalf of Southill, the City Council amended Section 16.13.390 (L) to allow underground parking under certain circumstances. The same applicants seek a code text amendment to allow below grade parking under open space, which was continued from the July 15, 2025, meeting to today.

The stated rationale behind the request is to address parking challenges in Midway while preserving the charm and rural feel of Midway by constructing parking below natural grade,

including areas designated as open space, provided the parking does not change the nature and appearance of the designated open space.

## PROPOSED CODE TEXT AMENDMENT

Applicants propose adding a new subsection (4) to Section 16.13.390 (B) as follows:

**Section 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 25% of the covered parking area.**

## DISCUSSION:

The Midway General Plan promotes preserving the charm and feel of Midway and it also promotes addressing parking issues by finding creative solutions to parking issues. The Midway General Plan states the following regarding these issues (emphasis added)

- Land Use Goals and Guidelines:

*Goal 1: To provide for residential areas in Midway that support and complement the unique resort and rural quality of the City.*

*Guideline 1: Mitigate impacts of land uses which would adversely impact outlying residential areas, i.e., increased traffic, density, noise, visual disharmony, etc., by requiring adequate open areas, off-street parking, service parking, and setbacks along main roads and other areas of higher density housing and commercial development.*

- Economic Goals and Guidelines:

*Goal 1, Guideline 10: Support parking solutions that will support businesses, public uses, and civic needs and allow for shared parking opportunities.*

*Goal 3, Guideline 1: Determine the best locations for commercial and retail services as well as the infrastructure and code changes or incentives required.*

*Main Street Parking (page 67): Parking – Parking is quickly becoming a significant issue along the corridor. The City, in concert with businesses, can use several strategies to alleviate this problem.*

*Modify parking requirements by possibly decreasing the number of stalls required in*

*conjunction with the creation of public parking lots.*

*Encourage businesses to develop shared parking partnerships that combine parking and reduce overall land consumption.*

*Guideline 9: Explore reducing parking requirements by creating public parking areas in the commercial district.*

*Guideline 10: Support parking solutions will support businesses, public uses, and civic needs and allow for shared parking opportunities.*

Main Street Introduction (page 64): Main Street is the economic, architectural, and historical heart of the community. The most powerful and lasting image associated with Midway is Main Street. This commercial core should be developed as a distinctive shopping and business area emphasizing it as an attractive meeting place and staging area for festivals, special events, celebrations, and a variety of community activities which will produce a vibrant and healthy community centerpiece. Midway has a unique small-town and village feel. **It is an important goal of the community to preserve the charm of Midway, especially along Main Street.**

Code text amendments fall under the category of legislative action. Therefore, the City Council has broad discretion regarding the proposal.

## **POSSIBLE FINDINGS:**

### **For:**

1. The proposed amendment is consistent with the current Midway General Plan, Land Use Goals and Guidelines, and Economic Goals and Guidelines for parking in the commercial zones.
2. Allowing below natural grade parking under required or voluntary open space provided the open space remains visually indistinguishable from open space areas that do not have parking below would allow another tool to address the challenges of limited parking in commercial zones without changing the appearance of open space.

### **OR**

### **Against:**

1. The proposed code text amendment is inconsistent with the Midway General Plan, Land Use Goals and Guidelines, and Economic Goals and Guidelines for parking in commercial zones.

## **ALTERNATIVE ACTIONS:**

1. Recommendation of Approval. This action can be taken if the City Council finds that the proposed language is an acceptable amendment to the City's Municipal Code.
  - a. Accept the staff report
  - b. List accepted findings
2. Continuance. This action can be taken if the City Council would like to continue exploring potential options for the amendment.
  - a. Accept the staff report
  - b. List accepted findings
  - c. Reasons for continuance
    - i. Unresolved issues that must be addressed
  - d. Date when the item will be heard again.
3. Recommendation of Denial. This action can be taken if the City Council finds that the proposed amendment is not an acceptable revision to the City's Municipal Code.
  - a. Accept the staff report
  - b. List accepted findings
  - c. Reasons for denial



**Midway**

## **ORDINANCE 2025-22**

### **AN ORDINANCE TO AMEND SECTION 16.13.390(B) OF THE MIDWAY CITY LAND USE TO ALLOW BELOW GRADE 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(B) governs the location of parking facilities in Midway; and

**WHEREAS**, by Ordinance 2025-18, passed July 15, 2025, the Midway City Council amended 16.13.390(B) to allow below level parking under certain circumstances; and

**WHEREAS**, Midway Heritage Land Holding LLC has requested an additional amendment to Section 16.13.390(B) to add a subsection (4) to allow below grade parking under required or voluntary open space; and

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

The following Section of Chapter 16 shall be amended as follows:

**Section 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 25% of the covered parking area.**

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

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**PASSED AND ADOPTED** by the City Council of Midway City, Wasatch County, Utah  
this \_\_\_\_ day of \_\_\_\_\_, 2025.

	AYE	NAY
Council Member Jeff Drury	_____	_____
Council Member Lisa Orme	_____	_____
Council Member Kevin Payne	_____	_____
Council Member Craig Simons	_____	_____
Council Member JC Simonsen	_____	_____

APPROVED:

\_\_\_\_\_  
Celeste Johnson, Mayor

ATTEST:

\_\_\_\_\_  
Brad Wilson, City Recorder

APPROVED AS TO FORM:

\_\_\_\_\_  
Corbin Gordon, City Attorney

(SEAL)