

# Memo



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Date: December 2, 2025  
To: Midway City Council  
From: Michael Henke  
Re: C-2 and C-3 Zones Code Text Amendment

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The look and feel of Main Street, density, and historic preservation are all major components of the commercial zones and will be the discussion for the City Council meeting on December 2<sup>nd</sup>. These are part of our continuing discussion of implementing the vision of the commercial zones as described in the General Plan. Each one of the three items is large enough that we may end up discussing each one in its own meeting. It's worth discussing them together to look at the big picture because changes to any of these items may affect the others. During the City Council meeting on December 3rd, 2024, the City Council discussed the allowed uses for the commercial zones. A redlined version of the code is attached to this memo based on the discussion during that meeting. The redlined version also contains other proposed changes that will be part of the discussion regarding the look and feel of the commercial zones.

The General Plan envisions the commercial area *“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.”* Modifications to the code will help us continue to develop Main Street as envisioned in the General Plan. Below are Main Street discussion points and some ideas for these items to help with our discussion.

- Look and Feel of Main Street
  - Adjust the C-2 and C-3 zone boundary
    - Create a walkable C-3 zone with minimal setbacks
    - Create a “rural” C-2 zone with limits on building volume and require greater setbacks and landscaping
    - Require buildings to have “steps” with portions of the building having a staggered setback to break up the feel of wide structures

- Consider a different setback for nonliving areas such as a covered deck and a greater setback for the building to promote a more open feel (i.e. the Haven building on Springer Farms)
- Density
  - Consider allowing historic dwellings that have been converted to businesses to return to being dwellings
  - Consider increasing density
  - Consider increasing density only for affordable housing
    - Define affordable housing
    - Determine the details such as a required term or if in perpetuity
  - Consider allowing increased density (possibly only for affordable housing) only if a historic structure is preserved
  - Consider allowing increased housing (possibly only for affordable housing) on vacant parcels under specific requirements such as open space preservation

These are some ideas to consider and will be explained more fully in our upcoming meeting. This discussion will give staff the direction needed from City Council to move forward on the next steps in process.

Please contact me if you have any questions.

**Michael Henke, MPA, AICP**

**City Planning Administrator**

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#### 16.05.010 Objectives And Characteristics

These zones have been established as districts in which the primary use of the land is for planned and integrated commercial and service uses. It is intended that these zones shall be characterized by a harmonious grouping of a variety of stores, shops, office buildings, or other permitted uses in an organized development. These zones have also been established to create new development which is characterized by well landscaped frontages, safe access and egress, proper parking design, coordinated site planning, and buildings which follow the objectives of the City Master Plan and resort architectural requirements. Emphasis in the approval of plans in the C-2 zone shall be to protect the appearance of the entrances to the City. Development in the C-3 zone is intended to create a shopping and financial center for the City and surrounding territory. Another objective of the commercial zones is to mitigate potential negative impacts upon residential zones caused by commercial activity. The City commercial zones are surrounded by residential areas on all sides and buffering restrictions are necessary.

#### 16.05.020 Permitted And Conditional Uses

1. The peculiar character and nature of conditional uses (those designated by "C") require special consideration. Therefore, the Planning Commission review of these conditional uses shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development in accordance with existing and future needs. The City Council shall deny or approve these conditional uses based upon the character of the zone, the surrounding land use, traffic, utilities and other public requirements.
2. In the following list of possible uses in the C-2 and C-3 zones, those designated "P" will be a permitted use. Uses designated as "C" will only be allowed when approved as a conditional use by the City Council. Uses designated as "N" will not be allowed in the zone.

USES	C-2	C-3
<del>Retail, grocery, and service stores</del> (up to <del>25</del> maximum 22,000 sq. ft. <del>building footprint</del> ) Tobacco sales and e-cigarettes (no more than 5% of total retail)	P	P
Professional offices and clinics	P	P (not allowed on ground level, must be below or above)
Auto detailing, gas stations and car washes	<del>C</del> N	N
Alcohol dispensing establishments (with local consent)	C	C

Rest Homes/Nursing/Convalescent Facilities/Assisted Living (limited to 8 residents and must be part of a mixed-use development or in an existing dwelling)	P	P
Day Care	<del>PC</del>	<del>PN</del>
<del>Retail.</del> Recreational activity businesses (including recreational rentals such as OHVs, does not include RVs), photo, art, and craft galleries, retail show rooms, antique shops (up to 15,000 sq. ft building footprint)	P	P
Engraving, publishing, and printing (must include 1,500 sq. ft. of retail area)	P	<del>PN</del>
Mortuaries <del>and wedding chapels</del>	P	<del>PN</del>
New and used vehicle sales and rentals	<del>EN</del>	N
Hospitals	<del>PN</del>	<del>PN</del>
Short-term lodging facilities (must be in the TROD and limited to 8 units or less) (excludes hotels and motels) (short-term rental units are limited to 8 units or less and cannot contain kitchens unless one dwelling is approved as a mixed-use CUP. Wet bars are allowed and are defined as the following: sink, refrigerator, dishwasher, and microwave but do not include a stove or oven)	P	P (shall not be located on the ground floor within 50' of the front property line)
Hotel/Motel	<del>N</del>	<del>N</del>
Cafes and restaurants	P	P
Public and quasi-public buildings (police/fire stations)	P	P
Police and fire stations	<del>P</del>	<del>N</del>
Barber, beauty shops, massage therapy and day spas	P	P
Vehicle parking (not associated with another use) (shall be located 50' from the front property line)	C	C
Repair shops (other than auto) (no outside storage)	<del>PC</del>	<del>PN</del>
Veterinarian and pet grooming services (no outside kennels or keeping of animals)	P	<del>PN</del>

Mixed Use (See Section 16.05.3(l))	C	C
Commercial PUDs and commercial condominium projects (short-term rental units are limited to 8 units or less and cannot contain kitchens unless one dwelling is approved as a mixed-use CUP. Wet bars are allowed and are defined as the following: sink, refrigerator, dishwasher, and microwave but do not include a stove or oven)	C	C
Private academies/studios (education, art, dance, sports, etc.)	P	P
Carpentry and woodworking shops (no outside storage)	C	<del>CN</del>
Electrician shops (no outside storage)	<del>PC</del>	<del>PN</del>
Plumbing shops (no outside storage)	<del>PC</del>	<del>PN</del>
Residential Condos in Mixed Use Projects (shall not be located on the ground floor within 50' of the front property line fronting on a State road. Other permitted and conditional uses must occupy ground floor between the front property line and the residential condo when fronting on a State road)	C	C
Residential accessory structures (no living or sleeping space)	P	P
Commercial accessory structures (maximum 10,000 sq. ft. building footprint)	<del>PC</del> (Conditional if associated with a conditional use)	<del>PN</del> (Conditional if associated with a conditional use)
Internal Accessory Dwelling Unit	P	P

(2012-11, Section Added, eff. 04/11/2012; 2013-15, Section Amended, eff. 03/18/15; 2015-04, Section Amended eff. 7/8/15; 2016-13, Section Amended eff. 7/13/16; 2016-15, Section Amended eff. 11/2/16); 2018-03, Section Amended eff. 1/24/18; 2020-05, Section Amended, eff. 05/07/2020)

#### HISTORY

Amended by Ord. 2022-06 on 4/27/2022

#### 16.05.030 Site Development Standards for the C-3 zone

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1. Minimum lot area: None
2. Minimum building setback from property line for all ~~commercial~~ structures.

1. Front: 10' minimum and 30' maximum from the property line; ~~however, an accessory or secondary building may be allowed by the City Council to be set back further provided all provision of this Title are met.~~

2. Side: None

3. Rear: None

~~4. Fuel pumps: 20 feet from any street~~

~~5.4.~~ Setback from residential zones: 15 feet

~~6.5.~~ Commercial structure setback from existing residential uses: ~~8 feet~~ none

~~7.6.~~ Residential structure setback *as part of a mixed-use development* (single-family and apartments): ~~10 feet~~ none

~~—Mixed-Use Structures. The commercial area of the structure must comply with the commercial structure setback requirements. The residential area of the structure located behind the commercial must comply with the residential structure setback requirements. Residential areas located above commercial may use the commercial structure setback requirements.~~

~~8.7.~~ Residential use (dwelling and short-term rentals) *as part of a mixed-use development shall not be located on the ground floor within 50' of the front property line. Other permitted and conditional uses must occupy the ground floor between the front property line and a residential unit.*

~~9.8.~~ The City Council, upon an applicant's request, may approve a setback different than listed in this section based on specific circumstances of the site and building orientation or specific use of a proposal.

3. Building Heights.

1. Minimum: 8 feet (see Section 16.13.110)

2. Maximum: 35 feet (see Section 16.13.100)

4. All building sizes and setbacks are also subject to the requirements of the building code adopted by the City Council. Building heights shall be subject to this Title.

5. All parking shall be located at the side or rear of the main building on each commercial zoning lot. 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. ~~In no case shall parking be located between the main building and a State road.~~

6. Each new construction commercial building must have a door facing ~~Main Street~~ the street if the lot fronts ~~Main Street~~ a State road.

7. Street facing walls shall have “steps” with portions of the building having a staggered setback. The maximum length of a street facing wall is 30’ before a required 10’, or greater, staggered setback.

8. Street level fenestration (design, construction, or presence of openings in a building. Fenestration includes windows, doors, louvres, vents, wall panels, skylights, storefronts, curtain walls, and slope glazed systems) requirements may be applied to only seventy-five percent (75%) of the primary facade and will be evaluated during the VAC review process for compatibility with the overall intents and purposes of the district.

6-9. Roofing shall not be of vivid primary colors (i.e., red, blue or yellow). Rooftop equipment shall be screened by roof components, parapets, cornices or other architectural features. Galvanized hoods and vents shall be painted to match the roof color

7-10. Notwithstanding any other provision contained herein, structures and setbacks must comply with Section 16.13.150: Clear View Triangle of Intersecting Streets.

8-11. A landscaping plan is required for all permitted and conditional uses in the commercial zones. The plan will be reviewed by the Visual and Architectural Committee during the approval process and must meet the requirements found in Section 16.13.220.

9-12. Mixed-Use Standards.

1. Lots less than one acre.

1. Frontage: 70 feet
2. One single-family dwelling (above, behind or detached)
3. 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.

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

3. Lot greater than 25 acres.

1. Frontage: 200 feet
2. Up to one residential unit per acre
3. 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.

(2010-32, Section Amended, eff. 12/08/2010; 2015-04, Section Replaced eff. 7/8/2015; 2016-15, Section Amended eff. 11/2/2016; 2021-31, Section Amended, eff. 10/6/2021)

#### HISTORY

Amended by Ord. [2021-41](#) on 3/16/2022

#### **16.05.030 Site Development Standards for the C-2 zone**

13. Minimum lot area: None

14. Minimum building setback from property line for all structures.

1. Front: 30 feet

2. Side: 20 feet

3. Rear: 30 feet

4. Residential use (dwelling and short-term rentals) as part of a mixed-use development shall not be located on the ground floor within 50' of the front property line. Other permitted and conditional uses must occupy the ground floor between the front property line and a residential unit).

5. The City Council, upon an applicant's request, may approve a setback different than listed in this section based on specific circumstances of the site and building orientation or specific use of a proposal.

15. Building Heights.

1. Minimum: 8 feet (see Section 16.13.110)

2. Maximum: 35 feet (see Section 16.13.100)

16. All building sizes and setbacks are also subject to the requirements of the building code adopted by the City Council. Building heights shall be subject to this Title.

17. All parking shall be located at the side or rear of the main building on each commercial zoning lot. 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. In no case shall parking be located between the main building and a State road.

18. Each new construction commercial building must have a door facing the street if the lot fronts a State road.

19. Impervious surface (buildings, pavement, concrete, and pavers) is limited to 70% of the parcel or lot area. The remaining 30% shall be landscaped.

20. Building volume is limited to a maximum floor area ratio (FAR) (total floor area/lot area) of 0.3. For example, a building on a 15,000 square foot lot is limited to 4,500 square feet.



21. Street facing walls shall have “steps” with portions of the building having a staggered setback. The maximum length of a street facing wall is 30’ before a required 10’, or greater, staggered setback.

22. Street level fenestration (design, construction, or presence of openings in a building. Fenestration includes windows, doors, louvres, vents, wall panels, skylights, storefronts, curtain walls, and slope glazed systems) requirements may be applied to only seventy-five percent (75%) of the primary facade and will be evaluated during the VAC review process for compatibility with the overall intents and purposes of the district.

23. Roofing shall not be of vivid primary colors (i.e., red, blue or yellow). Rooftop equipment shall be screened by roof components, parapets, cornices or other architectural features. Galvanized hoods and vents shall be painted to match the roof color

24. Notwithstanding any other provision contained herein, structures and setbacks must comply with Section 16.13.150: Clear View Triangle of Intersecting Streets.

25. A landscaping plan is required for all permitted and conditional uses in the commercial zones. The plan will be reviewed by the Visual and Architectural Committee during the approval process and must meet the requirements found in Section 16.13.220.

26. Mixed-Use Standards.

1. Lots less than one acre.

1. Frontage: 70 feet

2. One single-family dwelling (above, behind or detached)

3. 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.

1. Frontage: 200 feet

2. Up to one residential unit per acre

3. A minimum of 20 percent of the gross square feet of all structures on the lot must be deed-restricted as commercial.

3. Lot greater than 25 acres.

1. Frontage: 200 feet

2. Up to one residential unit per acre

3. 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.

(2010-32, Section Amended, eff. 12/08/2010; 2015-04, Section Replaced eff. 7/8/2015; 2016-15, Section Amended eff. 11/2/2016; 2021-31, Section Amended, eff. 10/6/2021)

#### **HISTORY**

Amended by Ord. 2021-41 on 3/16/2022

#### **16.05.040050 Residential Accessory Structures (No Living Or Sleeping Space)**

1. Residential accessory structures must be visually compatible with the dwelling on the same property. Staff will review and approve the proposed structure if it is found that the structure is visually compatible. If staff finds the proposed structure is not visually compatible with the dwelling, then the VAC will review the structure to assure compatibility.
2. Location Requirements.
  1. Front Setback. All residential accessory structures shall be setback at least forty-five (45) feet from the front lot line or fifteen (15) feet farther back than the front facade of the dwelling, whichever is greater.
  2. Side Setback. All residential accessory structures shall be setback from the side property lines a distance of at least three (3) feet. On corner lots, the side setback from any street shall not be less than thirty (30) feet.
  3. Rear Setback. All residential accessory structures shall be setback from the rear property line a distance of at least three (3) feet.

(2020-05, Section Added, eff. 5/7/20)



# Main Street

## Midway City 2023 General Plan

### Introduction

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. This chapter will address issues that affect Main Street and its development.



### Main Street Vision

Midway's Main Street is the heart of the City and is a reflection of its residents. As the City grows, this main corridor has great potential to provide a public gathering place for residents and tourists to interact and coexist with one another. Future development in this area should integrate harmoniously along with the existing historic buildings, to create a lively and comfortable district. The area will cater to the pedestrian experience and incorporate access to open space such as plazas, street furniture, pocket parks, and trails. Architecture, characterized by a traditional Swiss/European influence, should be used to create a unique identity that suits both the people and the surroundings of Midway.





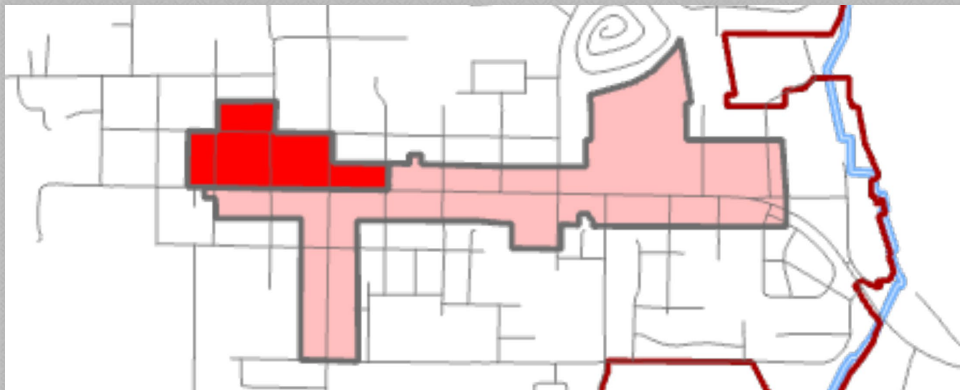
# Main Street

## Midway City 2023 General Plan

**Character** - Midways Swiss/European character is most prevalent along Main Street. Historic homes, businesses, and public buildings all contribute to Main Street's appeal to residents and visitors. The community has developed strict architectural design standards, historic preservation standards and development guidelines that will reinforce that small-town and village character and draw visitors to the area. For more detailed information please see the Midway City Municipal Code.



**Transportation** - Probably the greatest challenge that the City faces while planning for Main Street is the road itself. The success of this corridor will have much to do with how well these issues are dealt with.



Main Street is currently one of the few roads that move traffic east and west in the community and therefore attracts traffic. As the community grows and Main Street develops, traffic will most likely increase. While increased traffic can help draw visitors to the commercial core, it would also adversely affect the pedestrian friendly atmosphere that is essential to Midway's character. The following strategies can be used to alleviate the issue:

- Define the Corridor-The section from 200 West to River Road (700 East) is the focal point of pedestrian friendly atmosphere along Main Street. Using street treatments and signage will distinguish this section from others to draw pedestrians and cyclists while moderating traffic speeds.





# Main Street

## Midway City 2023 General Plan

- Develop Alternative Routes - Many of the trips along Main Street are “through trips” where the vehicle is moving from one end of the community to the other without stopping. Midway can remove many of those trips by making other east-west corridors more attractive to motorists.
- Walkability - Many of the visitors to the main core are within close proximity. As planned trails and pedestrian corridors throughout the City are built, citizens and visitors will become less reliant on vehicles to access the area.
- Crossings - Even at today’s traffic levels, crossing Main Street can be difficult. To promote a pedestrian friendly atmosphere, street treatments such as bulb outs, textured pavement and well-defined crosswalks will slow motorists and make pedestrians feel more secure.
- Coordination - Since Main Street is a state route, owned and operated by UDOT, coordination and cooperation are essential to managing traffic.



**Historic Preservation** - Remembering its history through the preservation of historic structures is very important to Midway residents. Many of these homes and businesses are along Main Street and contribute greatly to its character. However, pressure to redevelop or remove these structures will increase as growth occurs along the corridor. A balance of preservation, redevelopment and reuse must be found. Historic preservation ordinances should be flexible enough to allow the modifications that allow realistic use of the property while preserving the character of the structure.





# Main Street

## Midway City 2023 General Plan

**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.

1. Modify parking requirements by possibly decreasing the number of stalls required in conjunction with the creation of public parking lots.
2. Encourage businesses to develop shared parking partnerships that combine parking and reduce overall land consumption
3. Explore creating community parking lots in strategic locations, preferably in the middle of the blocks, that can be funded through user fees, grants and funds from commercial development that pay for parking stalls in public lots instead of building their own off-street parking.
4. Develop good pedestrian access to Main Street from other parts of Midway to help reduce the number of vehicles that require parking stalls.

**Open Space** - The strategic location of open spaces along the corridor draws pedestrians to the area and encourages them to stay longer. These can be parks, patios, plazas, playgrounds and natural open space. It is important to support the preservation of the traditional pastures that have been used for grazing livestock along Main Street. Preserving some of the open space parcels along Main Street will help maintain the small town and village feel of Midway.







# Main Street

## Midway City 2023 General Plan

**Design** – Using proper design standards such as staggered setbacks, staggered rooflines, storefronts size, building volume, fenestration, and placement will improve the overall appearance and walkability. Authentic designs and materials should be required. Please see Midway City design and architectural guidelines for more information.



**Transition** – As the community grows and demand for commercial property increases, properties along Main Street will continue to change. Many residential structures and other historic properties will transition to other uses. Guiding this transition in harmony with historic preservation, economic growth and community character is very important to the City. Every effort should be made to preserve historic structures to help maintain the uniqueness of Midway. Several residences have transitioned to commercial use and this trend will continue. Once a residence transitions to commercial, the City should consider and develop design criteria to help promote the goals of the General Plan.



## Main Street Goals and Guidelines

- GOAL 1:** The most powerful and lasting image associated with Midway is Main Street so we need to preserve Main Street as the economic, architectural, and historical heart of the community which is a destination for residents, tourists, and visitors.
- Objective 1:** This commercial core should be developed as a distinctive shopping and business area emphasizing it as an attractive meeting place.
- Guideline 1:** Plan for festivals, special events, celebrations, and a variety of community activities on Main Street which will produce a vibrant healthy community centerpiece. Working with UDOT, Midway should plan to occasionally close a section of Main Street for special events. Traffic could be redirected from Main Street and 200 West to other roads such as 100 West and 100 North.
- Guideline 2:** Future development in this area should integrate harmoniously along with the existing historic buildings, to create a lively and comfortable district.
- Guideline 3:** Midway must work with UDOT to assure that Main Street becomes more walkable by lowering speeds and creating more crosswalks, including raised crosswalks that will increase pedestrian safety. This is especially important in the area around the Town Square, specifically on Main Street on the south side of Town Square and on 200 West on the west side of Town Square. This area should be developed for walkability and safety so the town core can develop as a community gathering area that will act as a community plaza.
- Guideline 4:** Work with UDOT to consider parking, park strips, and trees in the center of Main Street that will also help control speed and will beautify this important business and transportation corridor.
- Guideline 5:** Promote more outside dining and gathering areas through design criteria and incentives.
- Guideline 6:** Consider compatible mixed-use developments along Main Street that will create a comfortable community space and will help create service worker housing that will benefit the businesses, residents, and visitors of Midway.





## Main Street Goals and Guidelines

- Guideline 7:** Consider Main Street as two distinctly designed areas.
- Guideline 8:** Encourage the installation of bike racks along Main Street.
- Guideline 9:** Identify potential City parking areas that will service businesses along Main Street, preferably in the center of the block, that will be landscaped and add to the viability of the corridor.
- Guideline 10:** Work with UDOT to expand and beautify Main Street from 300 E to Hamlet Park.
- Guideline 11:** Improve Michie Lane and 400 E so that they are functioning bypass alternative transportation routes to assure through traffic does not need to traverse Main Street.
- Guideline 12:** Minimize the number of driveways to Main Street for commercial and residential uses for safety and aesthetic purposes.
- Guideline 13:** Require landscape plans for all commercial development that will be reviewed by the Visual and Architectural Committee.
- Guideline 14:** Encourage new businesses to strengthen the downtown.





## Main Street Goals and Guidelines

**Objective 2:** Recognize historic homes and buildings.

**Guideline 1:** Document historically significant buildings along Main Street.

**Guideline 2:** Evaluate the possibility of alternative uses for historical buildings.

**Guideline 3:** As older homes transition into businesses along Main Street, preserve the green areas around these buildings by not overbuilding parking.

**Guideline 4:** Consider a local historic register to recognize structures and landmarks that are of great importance to the community.

