

**Midway City Planning Commission
Regular Meeting Minutes
January 13, 2026**

The Midway City Planning Commission held its regularly scheduled meeting at 6:00 p.m. on January 13, 2026, at the Midway City Community Center, 160 West Main Street, Midway, Utah.

Attendance

Commissioners

Laura Wardle – Chair
Kelly Lineback- Vice Chair
Andrew Osborne
Craig Knight
Travis Nokes
Kim Facer (Alt)
Suellen Winegar (Alt)

Staff

Michael Henke – City Planner
Director
Katie Villani – Senior Planner
Craig Simons – Mayor
Melissa Jones – Planning
Assistant

Excused

Geneene Probst

Liaison Report

No liaison report was given.

6:00 P.M. Regular Meeting

Call to Order

- Opening Remarks or Invocation; Pledge of Allegiance
- Invocation given by Commissioner Nokes

Item 1: Approve Meeting Minutes of December 9, 2025

The Commission reviewed and approved the meeting minutes of December 9, 2025.

Motion: Commissioner Knight: "I make a motion to approve the meeting minutes of December 9, 2025 meeting."

Seconded: Commissioner Lineback

Ayes: Commissioners Osborne, Nokes, Facer, Winegar, Knight, Lineback

Nays: None

Motion: Passed

Item 2: Code Text Amendment to Commercial C-2 and C-3 Zones

Review and provide a recommendation to City Council on proposed changes to Midway Municipal Code Section 16.05: Commercial C-2 and C-3 Zones.

Discussion:

- The proposed amendments refine permitted, conditional, and prohibited uses in the C-2 and C-3 zones to better align with the General Plan vision for Main Street as a vibrant, walkable commercial area.
- Staff reviewed the commercial zones, noting that the C-2 zone is less restrictive, while the C-3 zone is intended as a walkable core area around the Town Square with more active uses such as retail, restaurants, and offices.
- Commissioners discussed removing or limiting uses that do not contribute to Main Street vibrancy, including additional gas stations, storage units, mortuaries, event centers, car sales, hotels and motels, large short-term lodging facilities, recreational rentals, and repair shops.
- The Commission reached consensus to recommend a maximum retail building footprint of approximately 6,000 square feet, with a similar 6,000-square-foot cap for restaurants, to prevent large-scale development inconsistent with Midway's character.
- The Commission agreed to limit short-term lodging facilities to eight units or fewer, prohibit lockouts, allow wet bars only, and require compliance with mixed-use standards, including locating residential units above, below, or at least 50 feet behind the front property line in the C-3 Zone.
- Commissioners emphasized concern about cumulative impacts related to open space, building massing, and parking, supporting measures that limit scale and encourage screened or underground parking where feasible.
- Additional discussion supported a 3,000-square-foot footprint cap for barber/beauty shops, massage therapy, day spas, and fitness centers.
- Staff noted the amendments represent a phased approach, with future code amendments anticipated to address building massing, setbacks, architectural standards, and potential expansion of the C-3 Zone.

Analysis & Possible Findings

- The proposed amendments further the General Plan goal of maintaining Main Street as a vibrant, pedestrian-focused commercial corridor while preserving Midway's small-town character.
- Limiting building footprints, lodging units, and higher-impact uses helps mitigate traffic, parking, and visual impacts.
- The amendments provide clearer standards and predictability for future development while retaining discretionary review through conditional use approvals where appropriate.
- The proposed changes are legislative in nature and do not alter vested rights of existing, legally non-conforming uses.

Public Hearing:

No public comments were received, either in-person or online. The public hearing was closed.

Motion by Commissioner Lineback: “I make a motion that we recommend to the city council on these proposed changes to the Midway Municipal Code section 16.15, Commercial C2 and C3 Zones, and that we accept the proposed findings and incorporate the changes that we discussed.”

Second: Commissioner Knight

Ayes: Commissioners: Osborne, Nokes, Facer, Winegar, Lineback, Knight

Nays: None

Motion: Passed

Item 3: Accessory Buildings Used as Living Quarters – Code Text Amendment

Review and provide a recommendation to City Council on proposed changes to Midway Municipal Code Section 16.13.060: Accessory Buildings Prohibited as Living Quarters, to clarify that no building permit shall be issued for construction of living space in any accessory structure until after completion of construction and issuance of a certificate of occupancy for the main dwelling.

Discussion:

- The current code regarding accessory buildings used as living quarters may be open to misinterpretation, particularly when an accessory structure is built before the primary dwelling.
- An accessory structure, by definition, is not truly “accessory” if no primary dwelling exists on the property, which creates confusion and enforcement challenges.
- The current code contains conflicting provisions that both prohibit and conditionally allow living space in accessory structures, leading to misunderstandings for applicants.
- Staff clarified that living space in an accessory structure is currently allowed only when it remains dependent on the primary dwelling and is intended for use by occupants of the main residence.
- Setbacks were identified as a key concern, since accessory structures may be built closer to property lines than dwellings, creating issues when those structures are built first and used as primary living quarters.
- Applicants may still build and live in an accessory structure first, provided it meets the setbacks and requirements of a primary dwelling in that zone.
- The proposed amendment would clarify that no building permit for living space in an accessory structure shall be issued until the primary dwelling has received a certificate of occupancy.
- The amendment is intended to address situations where multiple permits are pulled but only one structure is built, leading to attempts to occupy a noncompliant accessory building.

Analysis & Possible Findings

- The proposed amendment clarifies the intent of accessory structures relative to a primary dwelling.
- Clearer standards regarding the timing and use of living space in accessory structures improves the City's ability to administer and enforce the code.
- The amendment helps prevent misuse of reduced accessory-structure setbacks for structures functioning as primary residences.
- Property owners may still construct and occupy an accessory building first if it complies with primary dwelling setbacks and requirements.
- The proposed change does not prohibit accessory living space but establishes a clear and consistent sequence for development.

Public Hearing:

No public comments were received, either in-person or online. The public hearing was closed.

Motion by Commissioner Osbourne: "I'll make a motion that we recommend for approval to City Council, Item 3, the proposed code text amendment to Midway City section 16.13.060, accessory buildings prohibited as living quarters and include the proposed amendment as written, and the possible findings as well."

Second: Commissioner Knight

Ayes: Commissioners: Lineback, Nokes, Facer, Winegar, Osbourne, Knight

Nays: None

Motion: Passed

Miscellaneous:

- Planning Commission bylaws require members to attend at least 75% of scheduled meetings within a 12-month period.
- Mayor Simons briefly addressed the Planning Commission.

Meeting adjourned at 8:27 PM



Chair Person – Laura Wardle



Planning Assistant – Melissa Jones