

# Midway City Corporation

Mayor: Craig Simons  
City Council Members  
Lisa Orme • Andy Garland  
J.C. Simonsen • Kevin Payne  
Andrew Osborne



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TO: Midway City Planning Commission

FR: Katie Villani

RE: Item 5: Code Text Amendments to specify Cottage Industry as permitted use all zones.

DT: April 14, 2026

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City Council adopted the current §16.13.280, Cottage Industries, by Ordinance 2024-02 in July of 2024. Midway Code §16.02, Definitions, defines “Cottage Industry” as follows:

*One of a list of identified limited business activities authorized to operate out of a person’s home in a residential zone which is secondary to the residential use of the property and does not alter the character of the residential neighborhood. Employment is limited to legal residents of the home, clients and client vehicles are restricted in number, and all business activity must be conducted within the primary dwelling unit. A list of recognized cottage industries and applicable restrictions are set forth in this Chapter.*

As reflected in the definition, cottage industries are authorized in all residential zones. Staff believe it would be clearer to list cottage industries as a permitted use in each zone, similar to home occupations. This would be accomplished by adding “cottage industries” after “home occupations” in each zone’s permitted use provision, as follows:

16.07.020 (F) Home Occupations, **Cottage Industries**  
16.08.020 (F) Home Occupations, **Cottage Industries**  
16.09.020 (D) Home Occupations, **Cottage Industries**  
16.10.020 (D) Home Occupations, **Cottage Industries**  
16.11.020 (D) Home Occupations, **Cottage Industries**  
16.12.020 (H) Home Occupations, **Cottage Industries**  
16.05: Commercial C-2 and C-3 zones, mixed use, add **Home Occupations and Cottage Industries**, as permitted uses in the table located in subsection (B).

Our vision for the City of Midway is to be a place where citizens, businesses and civic leaders are partners in building a city that is family-oriented, aesthetically pleasing, safe, walkable and visitor friendly. A community that proudly enhances its small town Swiss character and natural environment, as well as remaining fiscally responsible.



## ORDINANCE 2026-13

### **AN ORDINANCE TO AMEND MIDWAY CITY CODE §§ 16.05, 16.07, 16.08, 16.09, 16.10, 16.11, and 16.12 TO DENOTE COTTAGE INDUSTRIES AS A PERMITTED USE**

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

**WHEREAS**, the Midway City Council adopted the current Midway Code §16.13.280, Cottage Industries, by Ordinance 2024-02 in July of 2024, and

**WHEREAS**, Midway Code §16.02 defines Cottage Industry as a permitted use in residential zones, and

**WHEREAS**, the proposed amendments will clarify the code by listing Cottage Industries as a permitted use in each applicable zone, in the same way that home occupations are listed as a permitted use, rather than relying on the definition located in a different section of code,

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

The Midway City Code shall be amended in accordance with the following:

#### **16.07.020 (F) Permitted Uses (R-1-7 Residential Zone)**

**F. Home Occupation, Cottage Industries**

**16.08.020 (F) Permitted Uses (R-1-9 Residential Zone)**

F. Home Occupation, Cottage Industries

**16.09.020 (D) Permitted Uses (R-1-11 Residential Zone)**

D. Home Occupation, Cottage Industries

**16.10.020 (D) Permitted Uses (R-1-15 Residential Zone)**

D. Home Occupation, Cottage Industries

**16.10.020 (D) Permitted Uses (R-1-15 Residential Zone)**

D. Home Occupation, Cottage Industries

**16.11.020 (D) Permitted Uses (R-1-22 Residential Zone)**

D. Home Occupation, Cottage Industries

**16.12.020 (H) Permitted Uses (R-1-22 Residential Zone)**

H. Home Occupation, Cottage Industries

**16.05.020 (B) Permitted Uses (C-2 and C-3 Zones)**

B. 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.

<b>USES</b>	<b>C-2</b>	<b>C-3</b>
Retail, grocery, and service stores (up to 25,000 sq. ft.) Tobacco sales and e-cigarettes (no more than 5% of total retail)	P	P
Professional offices and clinics	P	P
Auto detailing, gas stations and car washes	C	N
Alcohol dispensing establishments (with local consent)	C	C

Rest Homes/Nursing/Convalescent Facilities/Assisted Living	P	P
Day Care	P	P
Recreational activity businesses, photo, art, and craft galleries, retail show rooms	P	P
Engraving, publishing, and printing	P	P
Mortuaries and wedding chapels	P	P
New and used vehicle sales and rentals	C	N
Hospitals	P	P
Short-term lodging facilities	P	P
Cafes and restaurants	P	P
Public and quasi-public buildings (police/fire stations)	P	P
Barber, beauty shops, massage therapy and day spas	P	P
Vehicle parking (not associated with another use)	C	C
Repair shops (other than auto) (no outside storage)	P	P
Veterinarian and pet grooming services (no outside kennels or keeping of animals)	P	P
Mixed Use (See Section 16.05.3(I))	C	C
Commercial PUDs and commercial condominium projects	C	C
Private academies/studios (education, art, dance, sports, etc.)	P	P
Carpentry and woodworking shops (no outside storage)	C	C
Electrician shops (no outside storage)	P	P
Plumbing shops (no outside storage)	P	P
Residential Condos in Mixed Use Projects	C	C
Residential accessory structures (no living or sleeping space)	P	P

Commercial accessory structures	P (Conditional if associated with a conditional use)	P (Conditional if associated with a conditional use)
Internal Accessory Dwelling Unit	P	P
Home Occupations, Cottage Industries	P	P

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 5<sup>th</sup> day of May, 2026.

	AYE	NAY
Council Member Andrew Garland	_____	_____
Council Member Lisa Orme	_____	_____
Council Member Kevin Payne	_____	_____
Council Member JC Simonsen	_____	_____
Council Member Andrew Osborne	_____	_____

APPROVED:

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Craig Simons, Mayor

ATTEST:

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

APPROVED AS TO FORM:

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

(SEAL)