



ORDINANCE 2024-07

AN ORDINANCE TO AMEND SECTIONS OF THE MIDWAY CITY LAND USE CODE TO SPECIFY SETBACK EXCEPTIONS FOR HISTORICAL STRUCTURES

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 has an interest in preserving historic structures; and

WHEREAS, the Midway City Council desires to add Section 16.13.130, which would specify setback exceptions for historical structures and allow historic building owners the ability to structurally reinforce their structures if the current footprint is nonconforming to current setback codes; and

WHEREAS, the amendment would allow applicants to expand their historic dwellings while preserving the historic masonry and rock by permitting structural supports outside of the existing footprint of the dwelling.

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

The following Section of Chapter 16 shall be added:

Section 16.13.130. Setback Exceptions for Historic Building Structural Reinforcement on Small Lots

- A. Where an existing recorded lot does not meet the current minimum lot area and/or width/depth requirements and the lot contains a legally built and existing structure that meets the definition of a historic structure under the Code, the structure may be structurally reinforced to preserve the historic structure and appearance of the building provided the structural changes do not increase the existing footprint of the structure that is currently nonconforming in any direction by more than eighteen (18) inches for habitable space and/or by more than four (4) feet for non-habitable space (e.g., porch).

Nothing in this section shall limit a conforming addition to a historic structure.

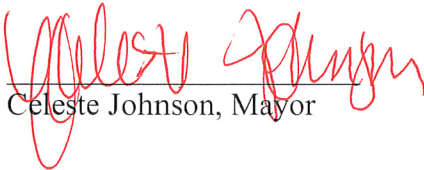
- B. Procedure: Before applying for a building permit, an owner seeking to structurally reinforce a historic building on a small lot under this section shall apply for and obtain a recommendation from the Midway City Historic Preservation Committee and forward its recommendation to the Planning Director, who is the City's land use authority for building permit decisions.

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 March 2024.

Council Member Jeff Drury	<u>Aye</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 March 2024 the Midway City Council adopted Ordinance 2024-07 (Historic Structures Setback Exceptions).

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

I certify that a full, true, and correct copy of the ordinance was posted on 25 July 2024 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 25 July 2024.

I further certify that a summary of the ordinance was published in The Wasatch Wave on 31 July 2024.

The ordinance became effective on 31 July 2024 upon publication.

Brad Wilson, Midway City Recorder

Dated 31 July 2024

