



ORDINANCE 2023-06

AN ORDINANCE TO AMEND SECTION 16.26.120 OF THE MIDWAY CITY LAND USE CODE TO CLARIFY THE CONDITIONAL USE PERMIT REVIEW AND APPROVAL PROCESS

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 desires to amend Section 16.26.120 of the Midway City Land Use Code; and

WHEREAS, the change will clarify that the City Planning Administrator will verify that an application is complete and in compliance with applicable zoning ordinances.

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

The following Section of Chapter 16.26 shall be amended to read as follows:

16.26.120 Conditional Use Approvals and Regulations

B. After receiving an application, the City Planning Administrator shall review and verify that the application is complete and that the applied-for use complies with applicable zoning ordinances. If the application is complete and compliant with applicable zoning ordinances, the City Planning Administrator shall then place the application on the agenda of the next available Planning Commission meeting. Applications that are incomplete or not in compliance with applicable zoning ordinances shall not be placed on an agenda. The Planning Commission shall then recommend the granting or denying of the conditional use permit based on the standards set forth in this Section. The Planning Commission may also recommend conditions to be imposed on the use if the permit is granted. After the Planning Commission makes its recommendation, the City Council shall advertise and hold a public hearing in the same manner specified above. After the public hearing, the City Council shall make a decision whether to grant or deny the proposed conditional use permit. The Council shall record its decision in writing and shall recite

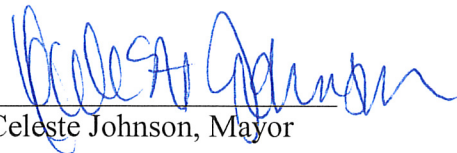
the findings upon which the decision is based. The City Council may approve and/or modify a conditional use or special exception permit application in whole or in part, with conditions, only if all of the following findings are made:

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

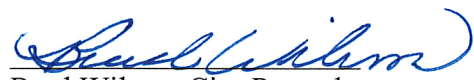
PASSED AND ADOPTED by the City Council of Midway City, Wasatch County, Utah this 2nd day of May 2023.

Council Member Steve Dougherty	<u>Aye</u>
Council Member Jeff Drury	<u>Aye</u>
Council Member Lisa Orme	<u>Aye</u>
Council Member Kevin Payne	<u>Aye</u>
Council Member JC Simonsen	<u>Aye</u>

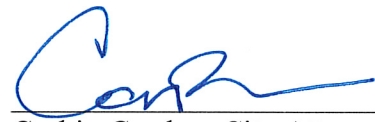
APPROVED:


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 2 May 2023 the Midway City Council adopted Ordinance 2023-06 (Conditional Use Approvals).

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 17 May 2023 at the following locations:

Midway City Office Building
Midway Community Center
United States Post Office (Midway)
Ridley's Express
7-Eleven (Midway)

I certify that a summary of the ordinance was published on the Utah Public Notice Website on 17 May 2023.

I further certify that a summary of the ordinance was published in The Wasatch Wave on 24 May 2023.

The ordinance became effective on 24 May 2023 upon publication.


Brad Wilson, Midway City Recorder

Dated 24 May 2023

