



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

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

D. Home Occupation, Cottage Industries

16.12.020 (H) Permitted Uses (RA-1-43 Residential-Agricultural 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.

USES	C-2	C-3
Grocery	N	N
Professional offices and clinics (maximum 6,000 sq. ft. building footprint)	P	P (not allowed on ground level, must be below or above)
Auto detailing, gas stations and car washes	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	C	N
Retail, photo, art, and craft galleries, retail show rooms, antique shops (up to 6,000 sq. ft building footprint)	P	P
Recreation activity business that includes rentals of motorized vehicles (such as OHVs, ATVs, and RVs)(not including ebikes)	N	N
Engraving, publishing, and printing (must include 1,500 sq. ft. of retail area) (up to 6,000 sq. ft. building footprint)	P	N
Mortuaries	N	N
New and used vehicle sales and rentals	N	N

Hospitals	N	N
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 (limited to two bedrooms per unit) and cannot contain kitchens unless one dwelling is approved as a mixed-use CUP. Lockouts are permitted but constitute another unit towards the 8 unit maximum. 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	N	N
Cafes and restaurants (up to 6,000 sq. ft. building footprint)	P	P
Public and quasi-public buildings	P	P
Police and fire stations	P	N
Barber, beauty shops, massage therapy, day spas and fitness center (up to 3,000 sq. ft. footprint)	P	P
Vehicle parking (not associated with another use) (shall be located 50' from the front property line)	C	C
Repair shops	N	N
Veterinarian and pet grooming services (no outside kennels or keeping of animals)	P	N
Mixed Use (See Section 16.05.3(I))	C	C
Commercial PUDs and commercial condominium projects (short-term rental units are limited to 8 units (limited to two bedrooms per unit) and cannot contain kitchens unless one dwelling is approved as a mixed-use CUP. Lockouts are permitted but constitute another unit towards the 8 unit maximum. 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 (residential and short-term rentals shall not be located on the ground floor within 50' of the front property line)
Private academies/studios (education, art, dance, sports, etc.)	P	P
Carpentry and woodworking shops	N	N
Electrician shops	N	N
Plumbing shops	N	N
Residential Condominium 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	C	C (residential and short-term rentals shall not be located on the ground floor

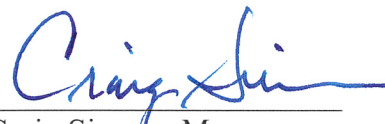
front property line and the residential condo when fronting on a state road)		within 50' of the front property line)
Residential accessory structures (no living or sleeping space)	P	P
Internal Accessory Dwelling Unit	P (shall not be located on the ground floor within 50' of the front property line)	P (shall not be located on the ground floor within 50' of the front property line)
Event Centers	N	N
Home Occupations, Cottage Industries	P	P

This Ordinance shall take effect 20 days after publication or posting or 30 days after final passage by the governing body, whichever is closer to the date of final passage.

PASSED AND ADOPTED by the City Council of Midway City, Wasatch County, Utah this 5th day of May 2026.

Council Member Andy Garland	<u>Aye</u>
Council Member Lisa Orme	<u>Aye</u>
Council Member Andrew Osborne	<u>Aye</u>
Council Member Kevin Payne	<u>Aye</u>
Council Member JC Simonsen	<u>Excused</u>

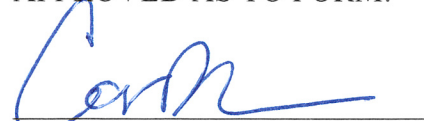
APPROVED:


 Craig Simons, Mayor

ATTEST:


 Brad Wilson, City Recorder

APPROVED AS TO FORM:


 Corbin Gordon, City Attorney





Midway
C.A.R.E.S.

Certificate of Passage, Posting and Publication

I certify that on May 5, 2026 the Midway City Council adopted Ordinance 2026-13 (Cottage Industries).

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

I certify that a summary of the ordinance was posted on June 23, 2026 at the following locations:

Midway City Office Building
Midway Community Center
United States Post Office (Midway)
The Market at Midway
7-Eleven (Midway)

I certify that a summary of the ordinance was published on the Utah Public Notice Website on June 23, 2026.

I certify that a summary of the ordinance was also published on Midway City's website on June 23, 2026.


Brad Wilson, Midway City Recorder

Dated June 23, 2026

