

MINUTES OF THE MIDWAY CITY COUNCIL

(Work Meeting)

Tuesday, 18 January 2022, 5:00 p.m.
Midway Community Center, Council Chambers
160 West Main Street, Midway, Utah

Note: Notices/agendas were posted at 7-Eleven, Ridley's Express, the United States Post Office, the Midway City Office Building, and the Midway Community Center. Notices/agendas were provided to the City Council, City Engineer, City Attorney, Planning Director, and The Wasatch Wave. The public notice/agenda was published on the Utah State Public Notice Website and the City's website. A copy of the public notice/agenda is contained in the supplemental file.

1. Call to Order

Mayor Johnson called the meeting to order at 5:03 p.m.

Members Present:

Celeste Johnson, Mayor
Steve Dougherty, Council Member
Jeff Drury, Council Member
Lisa Orme, Council Member
Kevin Payne, Council Member
JC Simonsen, Council Member

Staff Present:

Corbin Gordon, Attorney
Michael Henke, Planning Director
Wes Johnson, Engineer
Brad Wilson, Recorder/Financial Officer

Note: A copy of the meeting roll is contained in the supplemental file.

- 2. Ordinance 2022-02 / Setbacks in Residential Zones** (City Planner – Approximately 60 minutes) – Discuss Ordinance 2022-02 amending Chapters 16.7, 16.8, 16.9, 16.10, 16.11, and 16.12 of the Midway City Municipal Code regarding setbacks for residential zones. Recommended by the Midway City Planning Commission.

Michael Henke gave a presentation regarding the request and reviewed the following items:

- Proposal background
- General plan support for adjustments
- Current versus proposed setbacks
- Examples
- Proposed residential dwelling setback matrix
- Existing accessory structure setback matrix
- Proposed accessory structure setback matrix
- Example of accessory structure side setbacks
- Definition of an accessory building

Mr. Henke also made the following comments:

- With the proposal some lots could only have accessory structures under 200 square feet with no foundation, power, or plumbing.
- Animal structures had different setbacks from accessory buildings.
- A two-story building could be 20 feet high.
- The eave or roof overhang did not count when determining the setback.
- Only the additions to an existing non-conforming structure would have to meet the proposed setbacks.

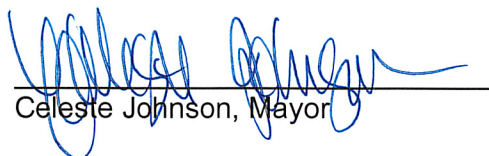
Note: A copy of Mr. Henke's presentation is contained in the supplemental file.

The Council, staff and meeting attendees discussed the following items:

- Accessory buildings were good for storage and helped clean up yards. Storage should not be discouraged
- The setback examples were suburban not rural.
- The ordinance change was driven by the General Plan which was in the process of being revised. The proposal should be considered after the revision.
- The Council should consider setbacks based on the lot size instead of the zone.
- Setbacks should be consistent in a neighborhood.
- Should the setbacks be based on the dimensions of the dwelling?
- The side setbacks most affected the neighbors. They should be increased instead of the front setbacks.
- Was the proposal a solution looking for a problem?
- The City should not restrict property rights too much.
- There could be a situation where one property owner was exercising more property rights than a neighbor.
- Shorter structures should be allowed closer to the lot line.
- Setbacks were not an issue when two neighbors had accessory buildings that were back-to-back.
- The proposal corrected multiple problems.
- The setbacks for dwellings should be addressed immediately while setbacks for accessory dwellings could wait.

3. Adjournment

The meeting was adjourned at 6:03 p.m.


Celeste Johnson, Mayor


Brad Wilson, Recorder