



Midway

PLANNING COMMISSION MEETING STAFF REPORT

DATE OF MEETING: February 11, 2025
NAME OF APPLICANT: BHD Architects, Mike Davey
OWNERS OF RECORD: Corporation of the Presiding Bishop LDS
AGENDA ITEM: Code Text Amendment to Section 16.13.100:
Maximum Height Provisions For All Buildings

ITEM: 3

Mike Davey, representative for the Corporation of the Presiding Bishop LDS, is proposing an amendment to Chapter 16.13.100: Maximum Height Provisions for all Buildings. The proposed amendment would allow church steeples to extend above the maximum height limit.

BACKGROUND:

Mike Davey, agent for the Corporation of the Presiding Bishop LDS, is proposing an amendment to the City's Municipal Code in Chapter 16.13.100: Maximum Height Provisions for all Buildings. The proposed amendment would allow church steeples to reach a height of 70', which is 17.5' higher than the current limit of 52'6". Currently the code reads as follows:

16.13.100 Maximum Height Provisions For All Buildings

The height of any building shall not exceed 35 feet. The total height shall be measured as the vertical distance from the natural grade, as defined in this Title, to the highest point of a roof. To allow for unusual conditions or appurtenances the following exceptions apply:

- A. *Antennas, chimneys, flues, vents, or similar structures may extend up to 5 feet above the specified maximum height limit.*
- B. *Water towers and mechanical equipment may extend up to 5 feet above the specified maximum height limit.*
- C. *Church spires, bell towers, finials, and like architectural features as well as flag poles, may extend above the specified maximum height limit by up to 50 percent of the height limit (52 feet 6 inches for a 35-foot building), but shall not contain any habitable spaces above the maximum height.*
- D. *The height of buildings in Resort Zones may exceed 35 feet if all the requirements of the Recreational Resort Chapter of this Title are satisfied.*
- E. *Special height requirements for some buildings on benches and slopes greater than 10 percent are imposed by the Sensitive Lands Chapter of this Title. These restrictions on building height shall be applied where applicable.*

The Applicant is proposing that church steeples be allowed to reach 70' in height. The applicant states in the application that the reasoning for the proposed change is the following:

The current height limit for steeples is 52'-6", which restricts the ability to construct appropriately scaled steeples. Allowing taller steeples on churches situated on large lots with adequate building setbacks will maintain compatibility with surrounding properties and will not negatively impact adjacent property owners.

Per the requested code text amendment, the proposed code would read as follows (red text has been removed and **bold** text has been added):

16.13.100 Maximum Height Provisions For All Buildings

The height of any building shall not exceed 35 feet. The total height shall be measured as the vertical distance from the natural grade, as defined in this Title, to the highest point of a roof. To allow for unusual conditions or appurtenances the following exceptions apply:

- A. *Antennas, chimneys, flues, vents, or similar structures may extend up to 5 feet above the specified maximum height limit.*

B. *Water towers and mechanical equipment may extend up to 5 feet above the specified maximum height limit.*

C. ~~Church spires~~, *Bell towers, finials, and like architectural features as well as flag poles, may extend above the specified maximum height limit by up to 50 percent of the height limit (52 feet 6 inches for a 35-foot building), but shall not contain any habitable spaces above the maximum height.*

D. *The height of buildings in Resort Zones may exceed 35 feet if all the requirements of the Recreational Resort Chapter of this Title are satisfied.*

E. *Special height requirements for some buildings on benches and slopes greater than 10 percent are imposed by the Sensitive Lands Chapter of this Title. These restrictions on building height shall be applied where applicable.*

F. ***Church steeples may extend above the specified maximum height limit by up to 100 percent of the height limit (70 feet for a 35-foot building) if all the following requirements are satisfied:***

- 1. The church building is located on a lot that is 3 acres minimum in size.***
- 2. The building setbacks from property lines are 30 feet minimum at street frontages.***
- 3. The setbacks from the rear and side property lines to the steeple are 100 feet minimum.***
- 4. The steeple shall not contain any habitable spaces above the building maximum height limit.***
- 5. The portions of the steeple above the building maximum height limit shall not exceed 15 feet in width or depth.***
- 6. A maximum of one steeple is allowed on the building.***

Midway amended the height ordinance for religious buildings on June 28, 2023, based on the issue that a religious building could exceed the standard height limit of 35', which is standard for almost all buildings in Midway. The previous code allowed the height of religious buildings to be based on the setbacks of the building on a property. A church on a large property with relatively large setbacks could reach 300' or more in height under the previous code. The City wanted to avoid this scenario and lowered the height of all religious structures to 35', with the exception that architectural elements, such as steeples, could reach a maximum height of 52'6". The amendment lowered the allowed height for religious buildings, but it also lowered the height of steeples to a lower height than the existing three steeples in Midway. The applicant is asking Midway to reconsider the limit on steeple height so that future churches can have a height like the existing steeples in Midway and other places throughout the country.

A code text amendment is a legislative action, which means that the City Council has broad discretion. The City Council may approve as petitioned, deny, or approve a modified code different from what is being petitioned by the applicant.

ANALYSIS:

Wikipedia defines a steeple as the following:

In architecture, a steeple is defined as a tall tower on a building, topped by a spire and often incorporating a belfry and other components. Steeples are very common on Christian churches and cathedrals and the use of the term generally connotes a religious structure. They might be stand-alone structures, or incorporated into the entrance or center of the building.

Steeple were first incorporated into churches about AD 600 and have become a longstanding tradition of church architecture. Churches with steeples in America date to colonial times and are common with churches, starting in New England, throughout the country.

The Applicant states in the application that one reason for the proposed amendment to allow a steeple to reach a height of 70' is to allow for proper scaling of the church and steeple. A quick search on the internet reveals that generally steeples should be twice the height of the church to create the proper proportion. One site, Lifeway One Source, states the following:

The recommendation for the height of a church's steeple is to be approximately the same distance from grade to roof peak of building (meaning ground to the highest part of roof line).

Another site, Church Steeples, states a similar recommendation:

You should aim for a steeple height that's roughly 1 to 1-1/4 feet tall in relation to the height of the building.

Another item to consider is the relative heights of existing steeples in town. There are currently three churches in town with steeples. These include the churches at 165 North Center, 1102 South Center, and 250 East and 200 South. The steeple heights of each of these three churches respectively are 73' 10", 64' 11", and 58' 5". The average height of the three steeples is approximately 65' 3" (see attached renderings).

The General Plan promotes preserving view corridors. Increasing the allowed height of steeples may block some views from surrounding neighbors and from some transportation corridors. The 2023 Midway General Plan states the following:

- Effective planning through clustering, setbacks, Transfer of Development Rights and animal/agriculture ordinances will help Midway utilize its core areas to encourage small commercial uses and attainable housing, and also **preserve its view corridors**, maintain open areas and reinforce a historic rural and country feeling.
- Protect all of the environmental and natural resources of the City by requiring development to occur in a manner and location which respects sensitive environmental lands: wetlands, flood plains and natural drainage patterns, steep slopes, productive agricultural lands, geologically unstable areas, critical wildlife areas, vegetation and important scenic features such as ridge lines hillsides and **view corridors**.
- “Open space” may mean different things to different people. To some, open space is sufficient space between houses in a subdivision so that neighbors have “elbow room.” To others **open space is unobstructed views of the mountains and ridgelines surrounding our valley**. In the context of this General Plan, open space is both and much more. Midway embraces a comprehensive definition of open space, for more information please refer to City ordinances.

To mitigate the impact of taller steeples, the Applicant is proposing language that would strictly regulate steeples. The following is the proposed text that would be added to the code if the City Council determines to allow the proposed amendment. Staff’s comments for each item are *italicized*.

F. Church steeples may extend above the specified maximum height limit by up to 100 percent of the height limit (70 feet for a 35-foot building) if all the following requirements are satisfied:

1. The church building is located on a lot that is 3 acres minimum in size. *Requiring a minimum of three acres, along with the required setbacks, will ensure that the steeple is located in the center of the property. This will help minimize the impact on neighbors.*
2. The building setbacks from property lines are 30 feet minimum at street frontages. *Staff are recommending that this line is amended to coincide with the required front setback for the zone in which the church will be located.*
3. The setbacks from the rear and side property lines to the steeple are 100 feet minimum. *This requirement, in conjunction with the acreage requirement, will ensure that the church will be located away from property lines and further from neighbors. This will help minimize the visual impact of the steeple for surrounding views.*

4. The steeple shall not contain any habitable spaces above the building maximum height limit. *This requirement will ensure all habitable space is within the standard of areas within 35' from natural grade.*
5. The portions of the steeple above the building maximum height limit shall not exceed 15 feet in width or depth. *This requirement will ensure that any steeples built will be as those traditionally constructed. The requirement will ensure that all steeple structures are not wider or deeper than 15'.*
6. A maximum of one steeple is allowed on the building. *This requirement will ensure that future churches will only have the traditional one steeple.*

Again, this proposal is a legislative in nature and the City Council has full discretion in this matter. The City Council may deny the request, approve as presented, or approve any modifications the City Council finds is necessary to promote the health, safety, and welfare of the community.

POSSIBLE FINDINGS:

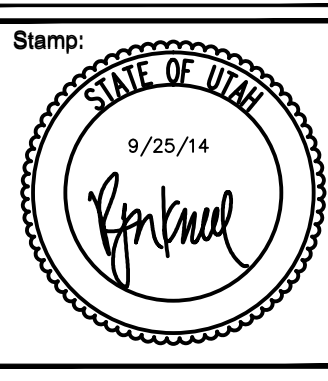
- The proposed amendment will allow steeples to reach a height of 70'.
- The proposal could impact view corridors for surrounding neighbors.
- Required setbacks would ensure that steeples are not located near surrounding neighbors which minimizes visual impact.
- Proposed regulations will ensure that the number of steeples and the dimensions of steeples will be as traditionally constructed.

ALTERNATIVE ACTIONS:

1. Recommendation of Approval. This action can be taken if the Planning Commission finds that the proposed language is an acceptable amendment to the City's Municipal Code.
 - a. Accept staff report
 - b. List accepted findings

2. Continuance. This action can be taken if the Planning Commission would like to continue exploring potential options for the amendment.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for continuance
 - i. Unresolved issues that must be addressed
 - d. Date when the item will be heard again

3. Recommendation of Denial. This action can be taken if the Planning Commission finds that the proposed amendment is not an acceptable revision to the City's Municipal Code.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for denial



MIDWAY 3, 4, 5 &
 165 NORTH CENTER STREET
 MIDWAY, UTAH

Project for:
**THE CHURCH OF
 JESUS CHRIST
 OF LATTER-DAY SAINTS**

AS-BUILT	SEPT 2014
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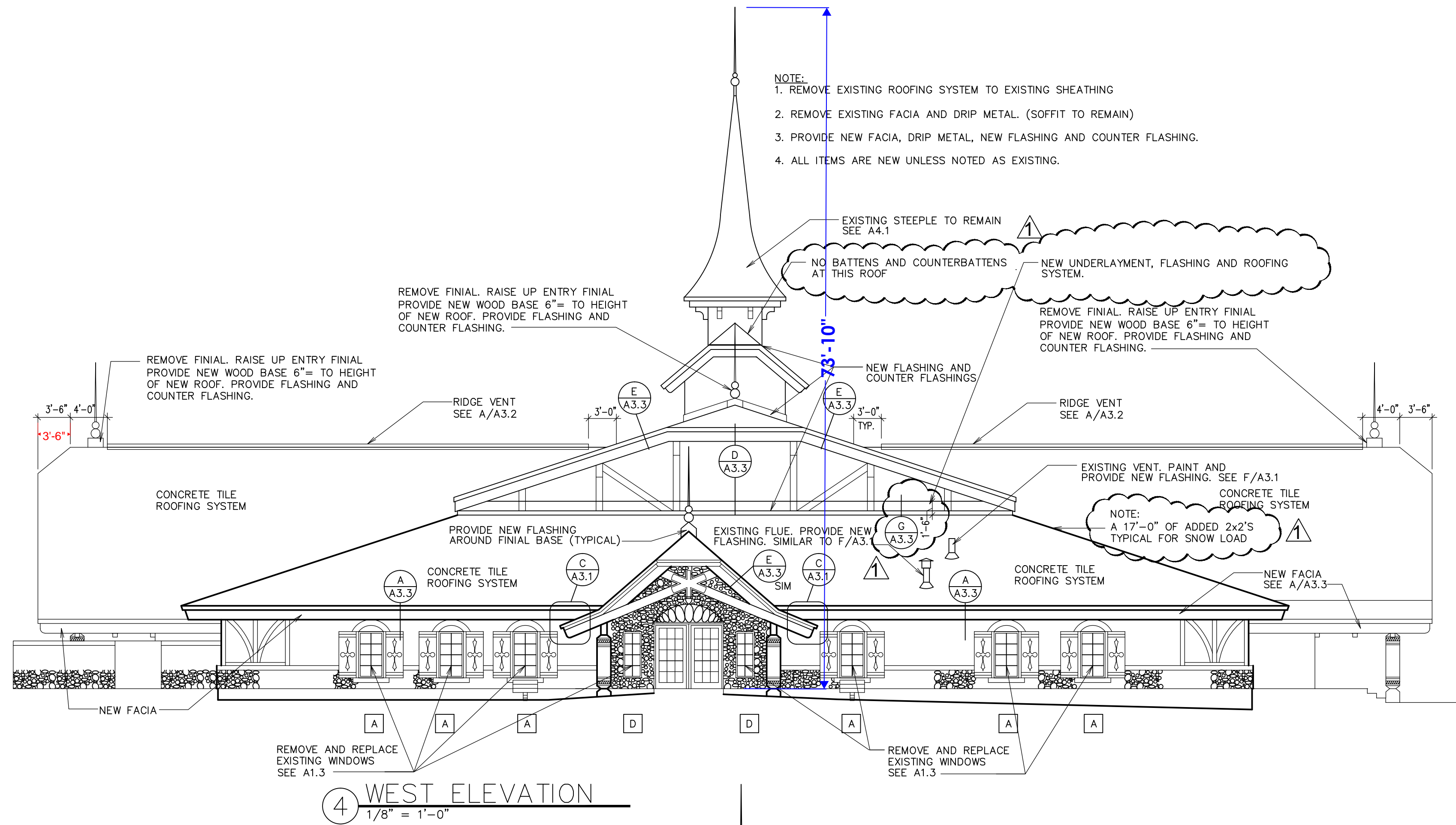
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 Plan Series:
 R&I ROOF REPLACEMENT
 Property Number:
 5349907

Sheet Title:

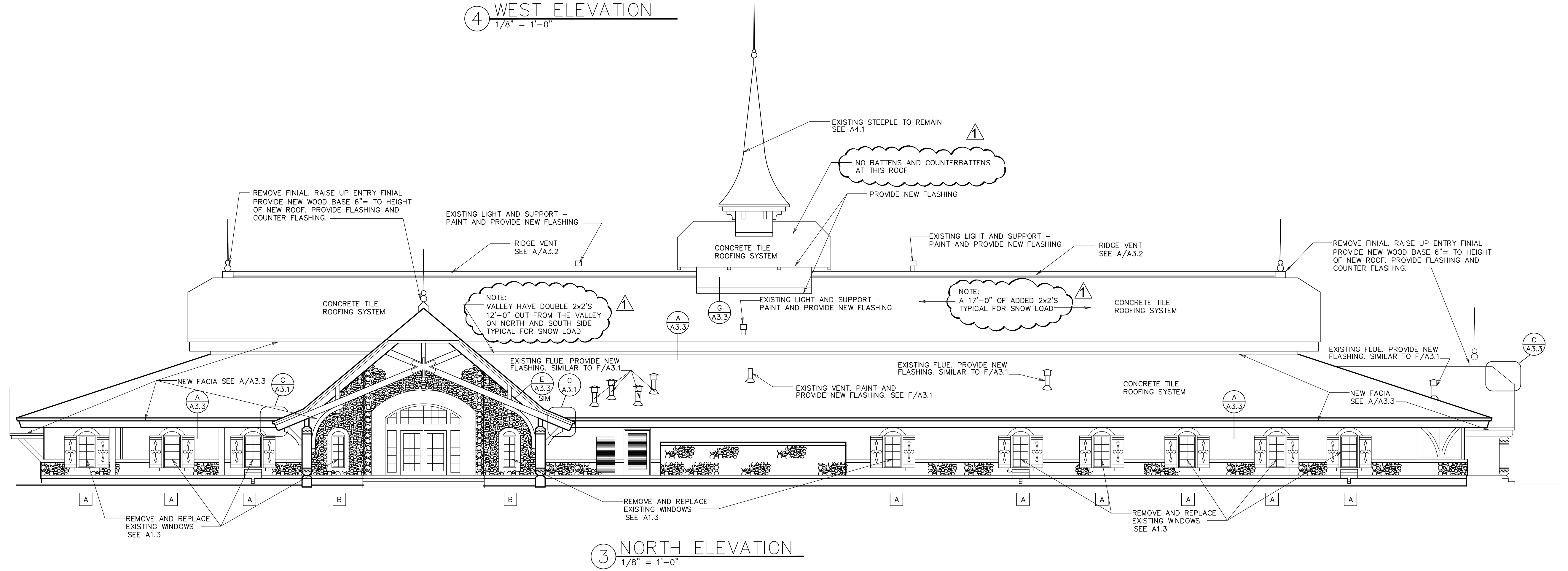
**EXTERIOR
 ELEVATIONS**

Sheet:
A2.2
AS BUILT

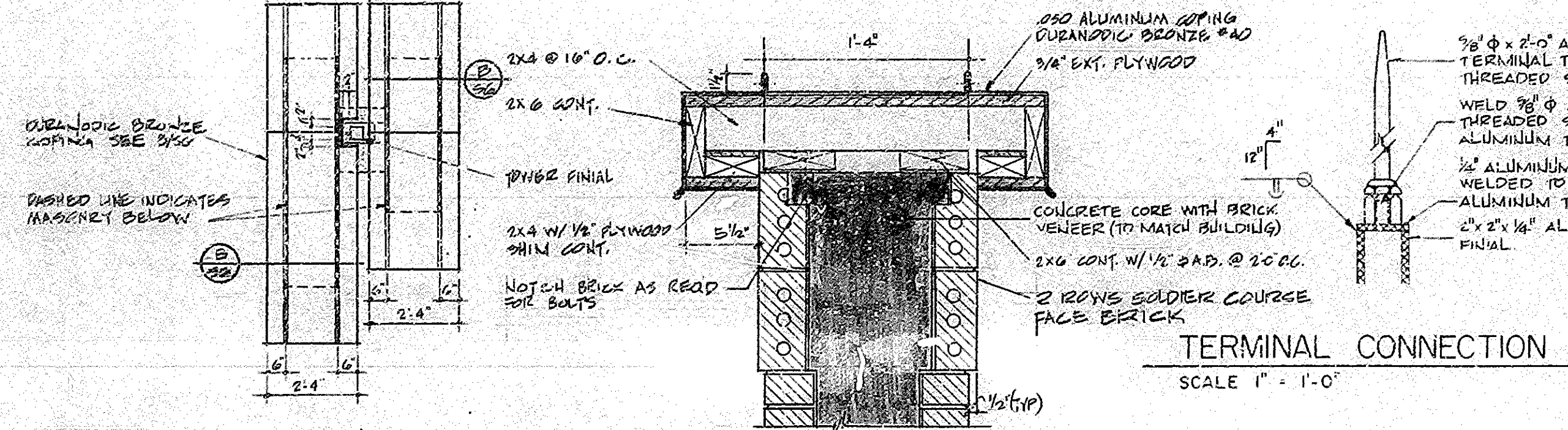
- NOTE:
 1. REMOVE EXISTING ROOFING SYSTEM TO EXISTING SHEATHING
 2. REMOVE EXISTING FACIA AND DRIP METAL. (SOFFIT TO REMAIN)
 3. PROVIDE NEW FACIA, DRIP METAL, NEW FLASHING AND COUNTER FLASHING.
 4. ALL ITEMS ARE NEW UNLESS NOTED AS EXISTING.



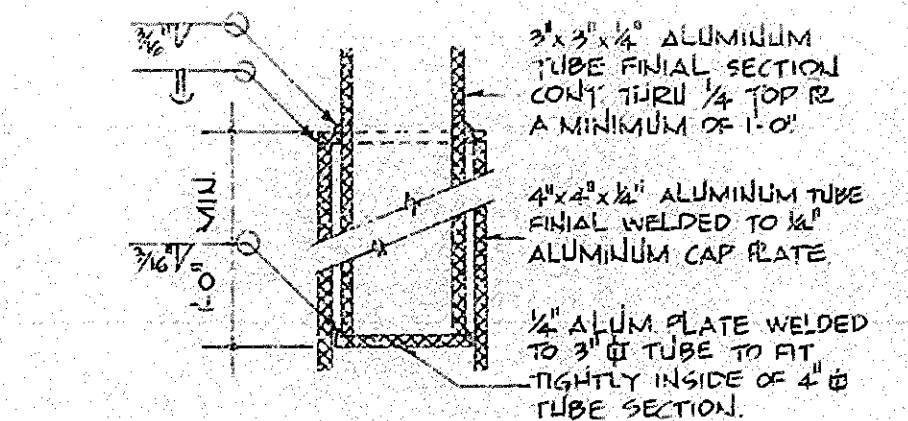
4 WEST ELEVATION
 1/8" = 1'-0"



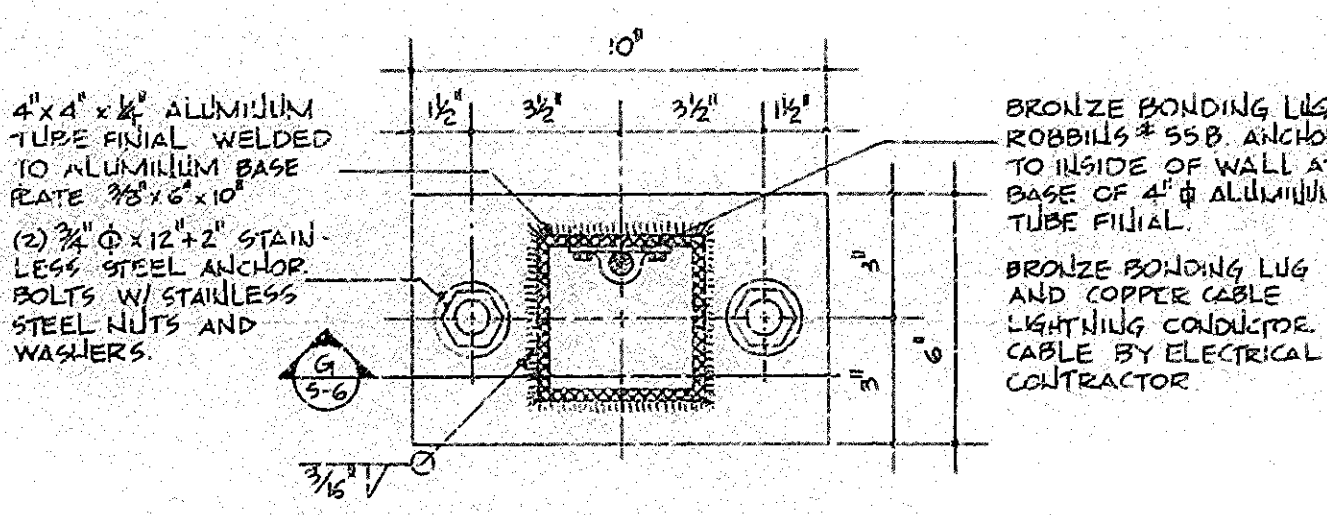
3 NORTH ELEVATION
 1/8" = 1'-0"



TERMINAL CONNECTION
SCALE 1" = 1'-0"

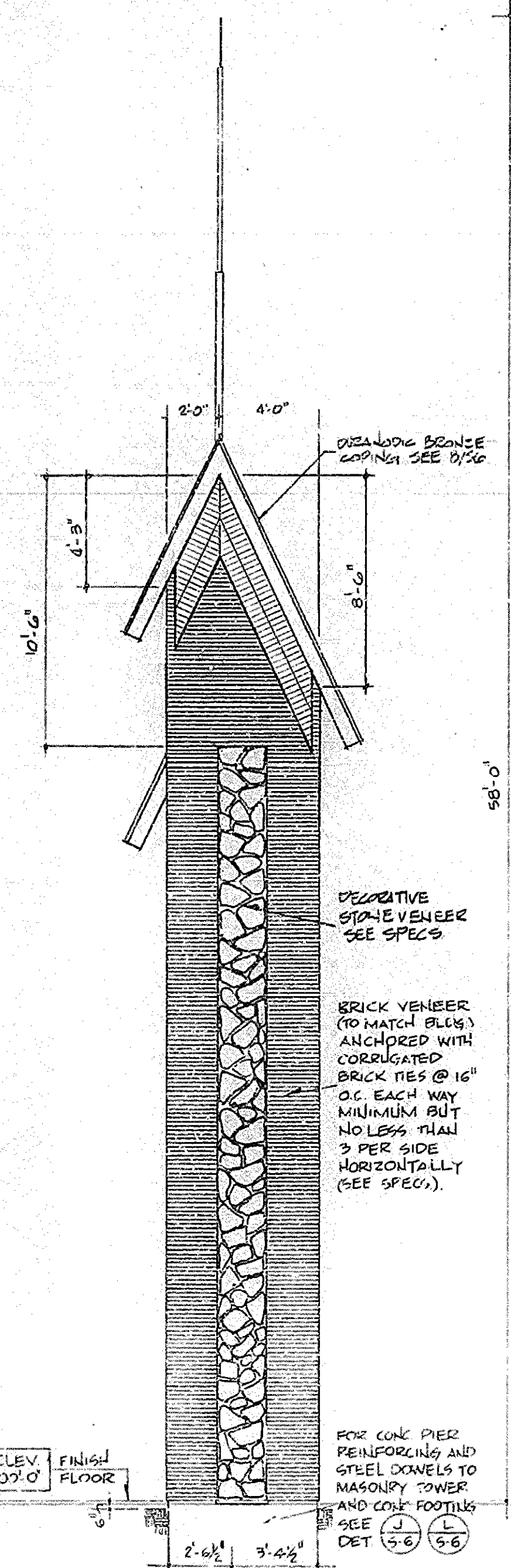


CONNECTION DETAIL D
SCALE 3" = 1'-0"

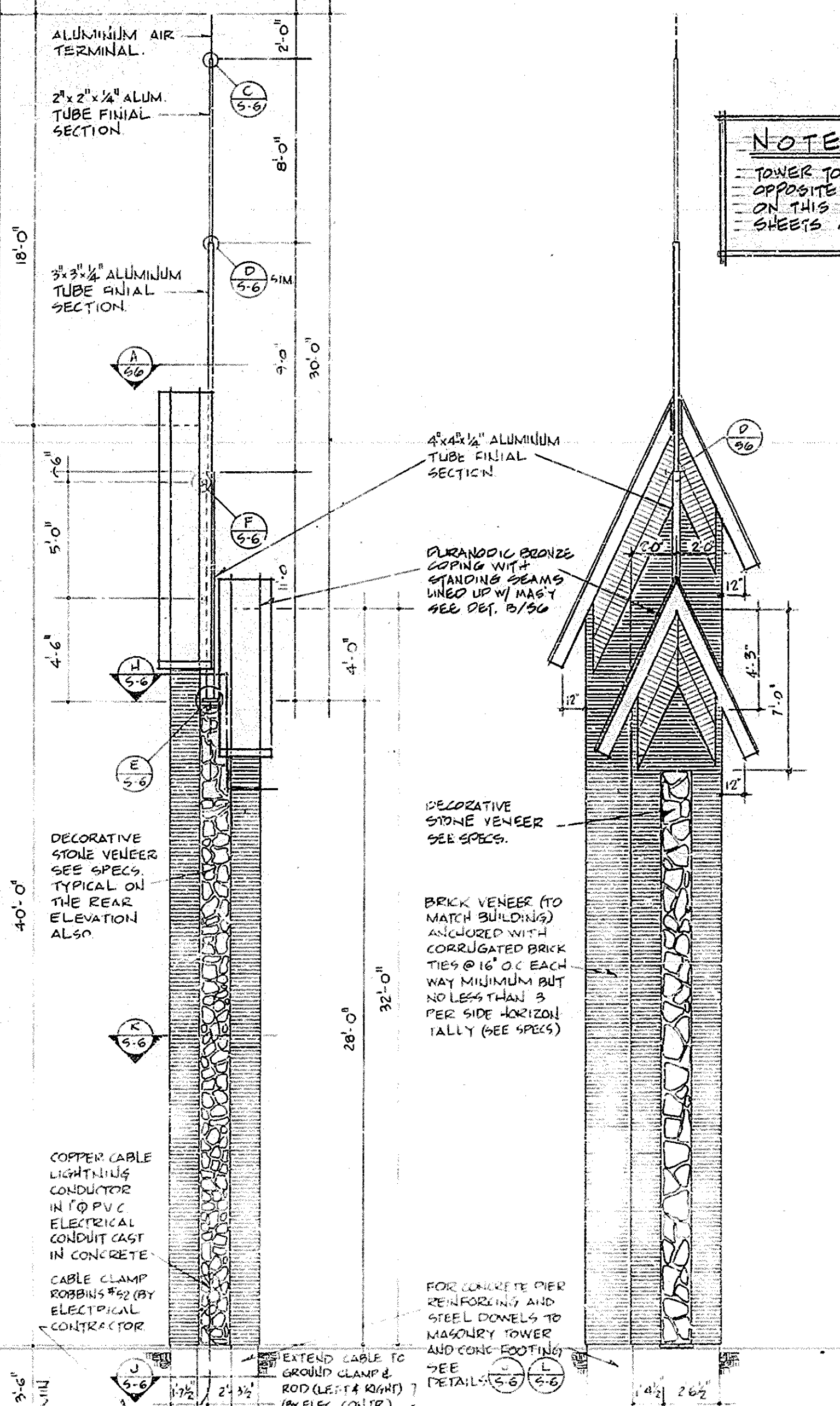


BASE CONNECTION DETAIL E
SCALE 3" = 1'-0"

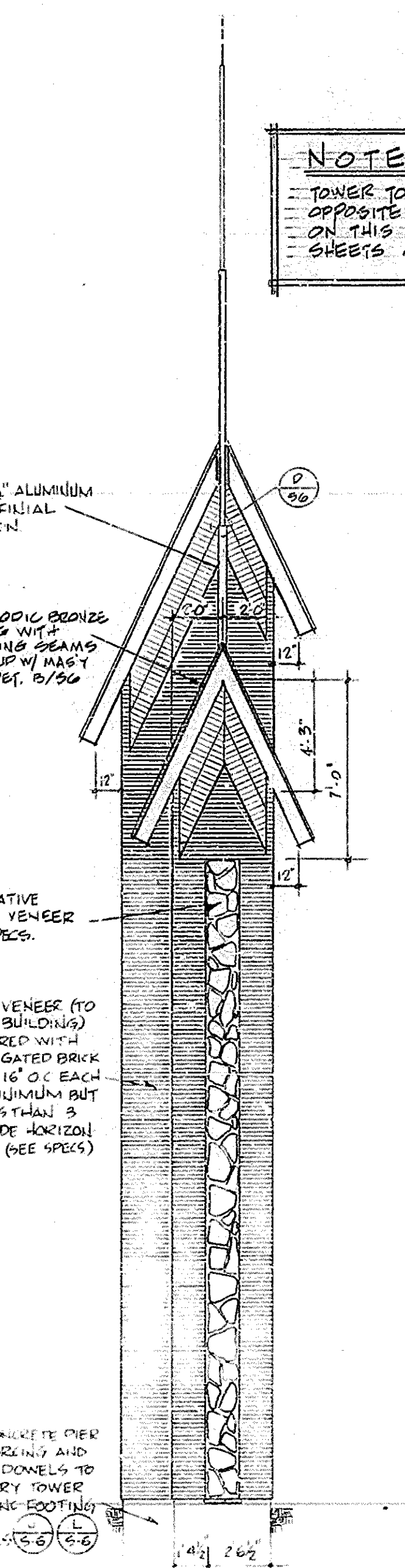
TOWER CAP PLAN
SCALE 3/8" = 1'-0"



LEFT SIDE ELEVATION
SCALE 1/4" = 1'-0"

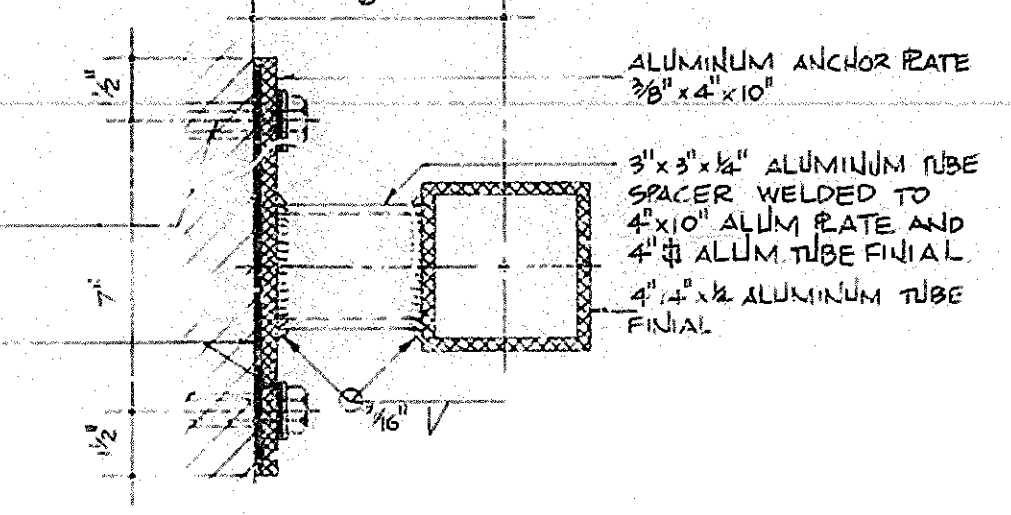


FRONT ELEVATION
SCALE 1/4" = 1'-0"

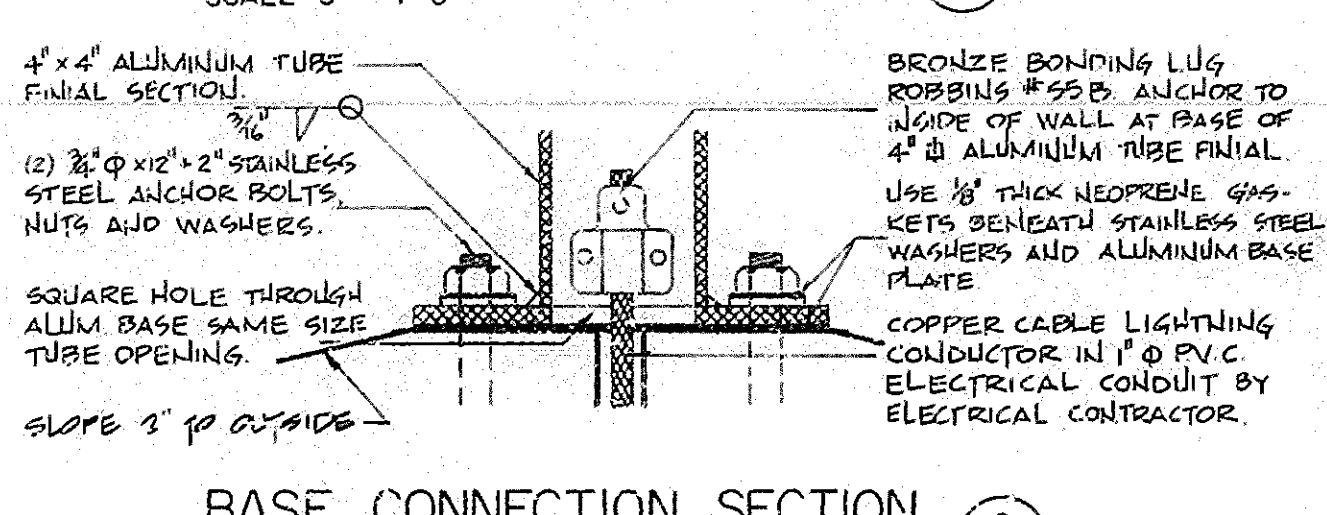


RIGHT SIDE ELEVATION
SCALE 1/4" = 1'-0"

NOTE:
TOWER TO BE CONSTRUCTED OPPOSITE HAND OF DETAILS ON THIS SHEET. SEE SHEETS A1, A2 & S1

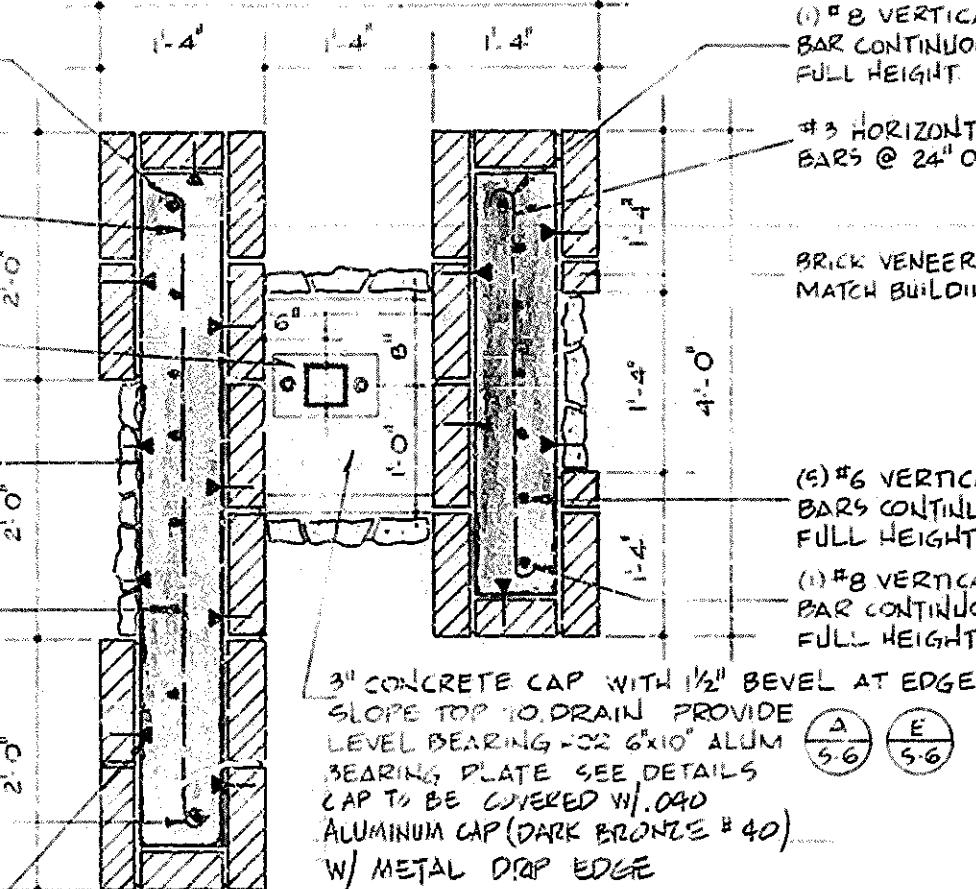


CONNECTION DETAIL F
SCALE 3" = 1'-0"

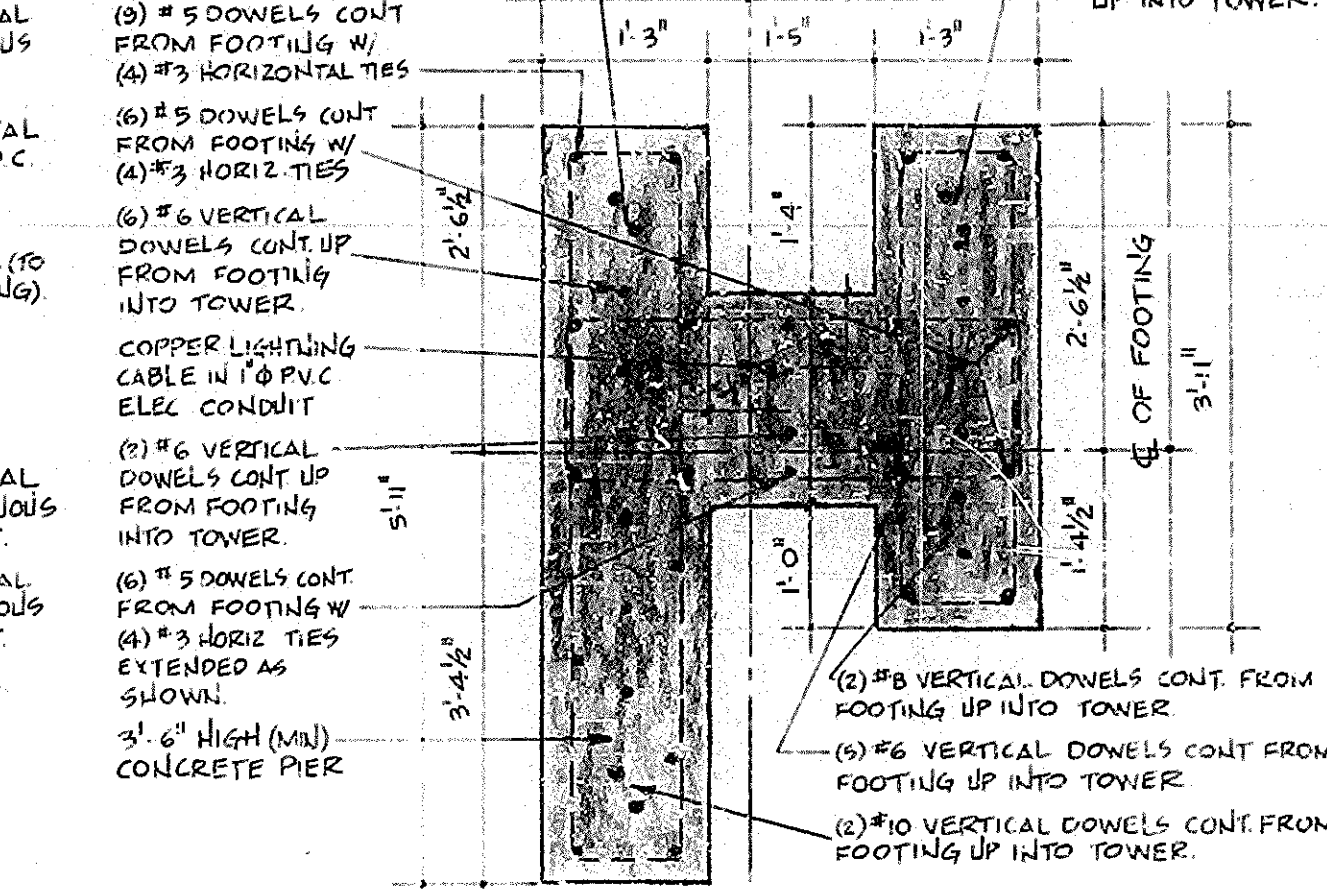


BASE CONNECTION SECTION G
SCALE 3" = 1'-0"

- (1) #10 VERTICAL BAR CONT. FULL HEIGHT
- #3 HORIZONTAL BARS @ 24" O.C.
- 6" x 10" FINIAL ALUMINUM BASE PLATE SEE E-5
- DECORATIVE STONE VENEER SEE SPECS (TYP)
- (6) #6 VERTICAL BARS CONTINUOUS FULL HT.
- (1) #10 VERTICAL BAR CONT. FULL HEIGHT
- DOVETAIL MASONRY ARCHES @ 16" O.C.

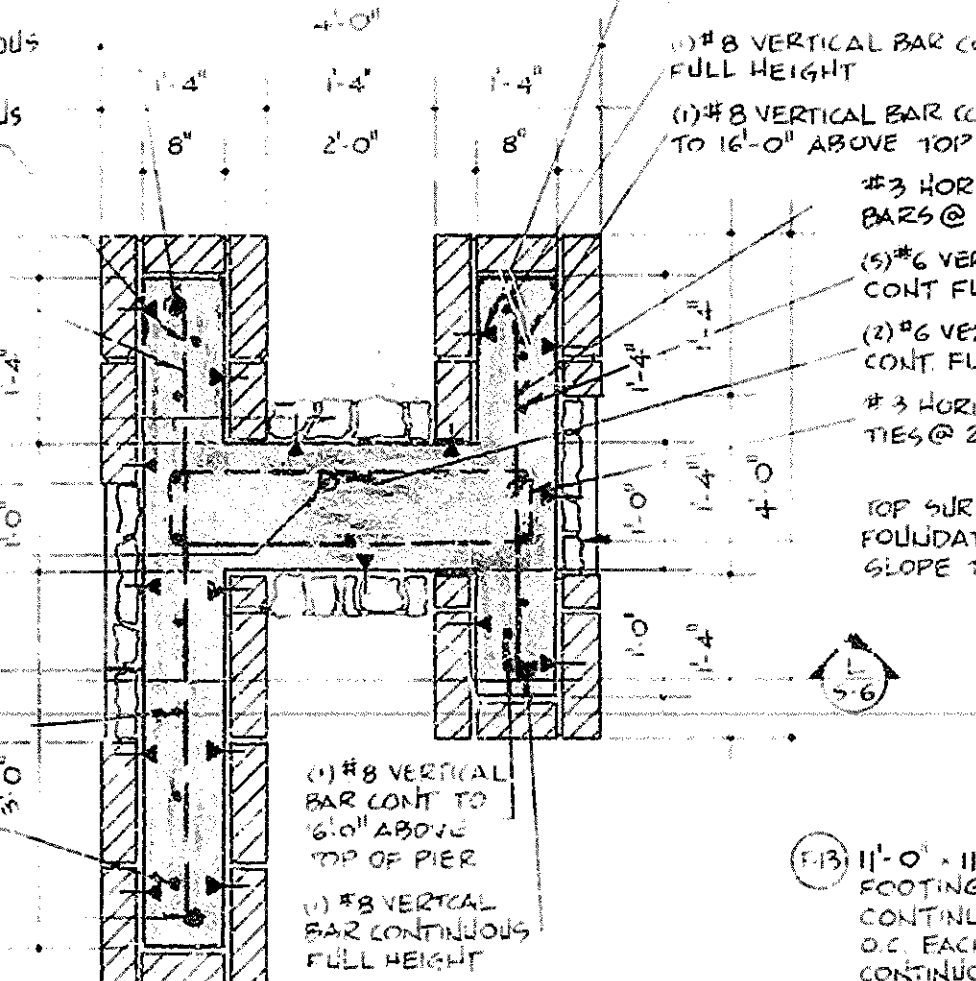


PLAN SECTION H
SCALE 3/4" = 1'-0"

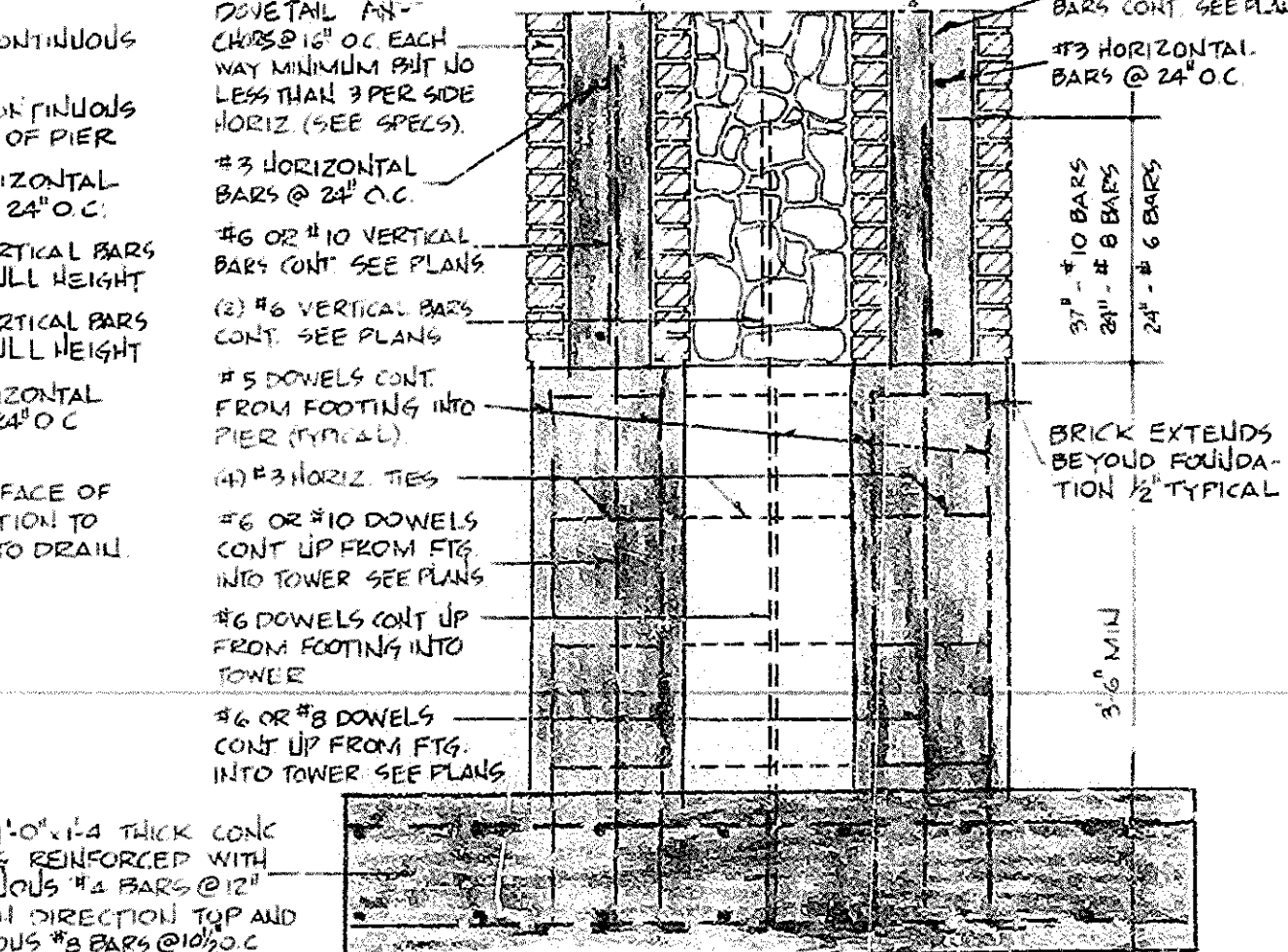


PIER PLAN SECTION J
SCALE 3/4" = 1'-0"

- (1) #10 VERTICAL BAR CONTINUOUS FULL HEIGHT
- (1) #10 VERTICAL BAR CONTINUOUS TO 2'-0" ABOVE TOP OF PIER
- #3 HORIZONTAL BARS @ 24" O.C.
- (5) #6 VERTICAL BARS CONT. FULL HEIGHT
- (2) #6 VERTICAL BARS CONT. FULL HEIGHT
- #3 HORIZONTAL TIES @ 24" O.C.
- TOP SURFACE OF FOUNDATION TO SLOPE TO DRAIN
- (1) #8 VERTICAL BAR CONT. TO 6" ABOVE TOP OF PIER
- (1) #8 VERTICAL BAR CONTINUOUS FULL HEIGHT
- (1) #10 VERTICAL BAR CONT. FULL HEIGHT
- (1) #10 VERTICAL BAR CONT. TO 2'-0" ABOVE TOP OF PIER
- (1) #10 VERTICAL BAR FULL HEIGHT



PLAN SECTION K
SCALE 3/4" = 1'-0"



PIER SECTION L
SCALE 3/4" = 1'-0"

DATE: OCT 77
 DRAWN BY: [blank]
 CHECKED BY: [blank]
 PROJECT: MIDWAY 1 ST & 2 ND WARDS
 MIDWAY UTAH - HEBER CITY UTAH STATE
 THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS
 CHURCH BUILDING DIVISION
 DEPT. OF PHYSICAL FACILITIES
 50 EAST NORTHWEST CORNER OF 100 SOUTH & 100 WEST, SALT LAKE CITY, UTAH
 SHEET NO. 5-6
 PROJECT NO. 77-008
 SHEET NO. 5-6

242