

## Midway City Planning Commission Regular Meeting Minutes November 13, 2018

Notice is hereby given that the Midway City Planning Commission will hold their regular meeting at 7:00 p.m., November 13, 2018, at the Midway City Community Center 160 West Main Street, Midway, Utah

### Attendance

Jim Kohler – Chairman  
Kevin Payne– Vice Chairman  
Jeff Nicholas  
Nancy O’Toole  
Natalie Streeter

### Staff

Michael Henke – City Planner  
Melannie Egan – Admin. Assistant  
Wes Johnson – City Engineer

### Excused

Jason Jenkins  
Bill Ream  
Rob Bouwhuis

### 7:00 P.M. Regular Meeting

#### Call to Order

- Welcome and Introductions; Opening Remarks or Invocation; Pledge of Allegiance
  - Invocation was given by Chairman Kohler
  - Chairman Kohler led the Pledge of Allegiance

#### Item: 1

Review and possibly approve the Work Meeting and Planning Commission Meeting Minutes of October 9, 2018 and Work Meeting of October 30, 2018.

**Motion:** Commissioner O’Toole: I move that we approve the Work Meeting and Planning Commission meeting minutes on October 9, 2018 and on October 30, 2018, with the corrections given to Melannie.

**Seconded:** Commissioner Nicholas

**Chairman Kohler:** Any discussion on the motion?

**There was none**

**Chairman Kohler:** All in favor.

**Ayes:** Commissioners: Streeter, Payne, Nicholas and O’Toole

**Nays:** None

**Motion: Passed**

#### Item 2:

Epic Engineering, agent for Michael LaBarge, is requesting approval of a large-scale subdivision. The proposal is for a four-lot subdivision that is 4.2 acres in size. The property is located at 922 North Pine Canyon Road and is partially in the R-1-15 zone and partially in the R-

1-22 zone.

### **Planner Henke gave a presentation**

#### **Land use Summary**

#### **Possible recommendation**

#### **Possible Findings**

- The proposed lot meets the minimum requirements

#### **Recommended Conditions**

- An agreement between the developer and Larry Brown is agreed with a boundary line adjustment
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**Chairman Kohler opened the meeting to public comment**

**None**

**Chairman Kohler closed the meeting to public comment**

Kevin Payne asked about the road or easement from Pine Canyon

Kevin Payne asked about the stub road to the south (Larry Brown property) and where the stub would there be a lot that could fit between.

Sidewalk issues. Wes stated that it was a peculiar situation regarding where the existing sidewalk is.

Questions regarding the stub road and how would it tie into Pine Canyon Road. Michael Henke stated that if the property to the south could have dozens of configurations and would not be known until and when that property moves forward for development. Along with

**Motion:** Commissioner Nicholas: I move that we conditionally approve the large scale LaBarge Subdivisions. It is a four-lot subdivision that is 4.2 acres in size. The property is located at 922 North Pine Canyon Road and is partially in the R-1-15 zone and partially in the R-1-22 zone. The conditions are those that are listed on page 5 on the staff report. The park strip should be maintained by using animal friendly plants, it is optimal to plant grass.

**Seconded:** Commissioner O'Toole

**Chairman Kohler:** Any discussion on the motion?

Natalie Streeter stated that the park strip should be maintained by using animal friendly plants, it is optimal to plant grass.

**Chairman Kohler:** All in favor.

**Ayes:** Commissioners: Streeter, Payne, Nicholas and O'Toole

**Nays:** None

**Motion: Passed**

#### **Item 3:**

Midway City is proposing a code text amendment of Section 16:15: Recreational Resort Zones. The proposed code amendment will possibly modify when water rights are required for development, require commercial uses for all development, establish permitted and conditional uses, limit density, limit height, and create large-scale and small-scale property development standards.

## Planner Henke gave a presentation

### Land Use Summary

#### Current Resort Zone

#### RZ Code Concerns

- Define permitted and conditional uses
- Require development uses that create a tax base
- Require proof of water rights ant the master plan phase of approval process
- Code that allows development of small RZ parcels
- Height Limits
- Density
- Approval process development agreements
- Workforce housing
- Simplify language and approval process

#### Changes made since last meeting

- **Land Use Plan**

- 2 acre or larger
- 20% of the gross floor area must be designated as commercial

#### Commissioners and Staff Comments

A discussion ensued regarding the differences of the 20% commercial and the 60% as hotel rooms or nightly rentals. Hotels and vacation rental units are different in the fact that they have full kitchens. It was advised by Mr. Henke that putting them into the conditional use permits would not limit. The trend of vacation homes has changed a bit in the fact that people (families) that are vacationing in Utah are wanting to rent large units that could fit several families at a time. There was a question that the 20% commercial should be taken out altogether.

All Item 11- Workforce Housing should have be removed in its entirety. It will be removed in the final draft that would be presented to City Council.

Could we put HOA or Property Owner. It is a combination of the Owner and HOA to guarantee maintenance.

There was a question regarding the Building Design Guidelines and the Visual Architect Committee and Planning Commission recommendations.

Notice requirements. Citizen participation plan. 16: 2 must be followed.

#### Commissioners and Staff Comments

**Motion:** Commissioner Payne I make a motion that we accept all of staff's findings, approval of code amendment of Section 16:15: Recreational Resort Zones. With the changes to Item 11- Workforce Housing will be removed in its entirety and Item 12-A ii clarification regarding HOA and property owners.

**Seconded:** Commissioner Streeter

**Chairman Kohler:** Any discussion on the motion?

**There was none**

**Chairman Kohler:** All in favor.

**Ayes:** Commissioners: Streeter, Payne, Nicholas and O'Toole

**Nays:** None

**Motion: Passed**

#### **Item 4:**

Midway City is proposing a code text amendment of Section 16:5: Commercial C-2 and C-3 Zones. The proposed code amendment would add commercial and residential accessory structures as a permitted use in the commercial zones. Setbacks would also be added to the code for accessory structures.

#### **Planner Henke gave a presentation**

#### **Commercial Zone Setbacks**

- Establish accessory structures as a permitted use for residences
- Establish accessory structures as a permitted use or conditional use for commercial uses.
- Establish setbacks for accessory structures
  - Commercial
    - Same setbacks as listed for all commercial structures
  - Residential Accessory Location Requirements (no living or sleeping space)
    - Front Setbacks
      - ❖ All residential accessory structure shall be setback at least thirty (30) feet from the front lot line or projected street right-of-way.
    - Side Setback
      - ❖ All residential accessory structures dwellings shall be setback from the side property lines a distance of at least three feet. On corner lots, the side setback from any street shall not be less than thirty 30 feet.
    - Rear Setbacks
      - ❖ All residential accessory structures shall be setback from the rear property line a distance of at least three (3) feet.

#### **Approval Process**

- Adding residential accessory structures as a permitted use will allow residents of this zone to better use and enjoy their property
- Adding commercial accessory structures will make it clear that they are allowed and what the requirements are for these structures

**Chairman Kohler opened the meeting to public comment**

**None**

## Chairman Kohler closed the meeting to public comment

**Motion:** Commissioner Streeter I move that we recommend the approval of the proposed code amendment that would add commercial and residential accessory structures as a permitted use in the commercial zones. Setbacks would also be added to the code for accessory structures.

**Seconded:** Commissioner O'Toole

**Chairman Kohler:** Any discussion on the motion?

**There was none**

**Chairman Kohler:** All in favor.

**Ayes:** Commissioners: Streeter, Payne, Nicholas and O'Toole

**Nays:** None

**Motion: Passed**

### Item 5:

Adjournment 9:30pm

**Motion:** Commissioner O'Toole

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Chairman – Jim Kohler

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Admin. Assistant – Melannie Egan