



# Midway City Open Space Fact Sheet

## OVERVIEW

On October 27, 2017 Midway City formed the Open Space Advisory Committee, to consider putting an open space bond on the ballot, in addition to several other responsibilities. The committee has met monthly in open session, conducted five (5) public meetings for the citizens of Midway, completed a survey of Midway residents and drafted an open space chapter for City Council adoption. The City Council adopted a resolution during the August 8, 2018 Meeting for the November 2018 ballot.

## RESOLUTION #2018-27

A RESOLUTION PROVIDING FOR A SPECIAL BOND ELECTION TO BE HELD ON NOVEMBER 6, 2018 FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF MIDWAY CITY, UTAH (THE "CITY"), A PROPOSITION REGARDING THE ISSUANCE OF NOT TO EXCEED \$5,000,000 GENERAL OBLIGATION BONDS TO FINANCE ALL OR A PORTION OF THE COSTS TO PRESERVE OPEN SPACE AND RELATED IMPROVEMENTS; PROVIDING FOR THE PUBLICATION OF A NOTICE OF PUBLIC HEARING; APPROVING THE FOR OF AND DIRECTION THE PUBLICATION OF A NOTICE OF ELECTION AND THE BALLOT PROPOSITION; AND RELATED MATTERS.

## DEFINITION OF OPEN SPACE

"Open Space" includes: agricultural land; environmentally sensitive lands; view corridors; setbacks in developments and subdivisions; parks, trail systems; wetlands; wildlife habitats; buffer zones; conservation easements or some combination of these values.

## EFFECTIVE OPEN SPACE USE- (draft of Open Space Chapter for 2017 General Plan)

- Preserve Inter-City Open Space
- Preserve Midway's Unique Character
- Create Local Neighborhood "Openness"
- Provide Public Recreation Venues

## GENERAL OPEN SPACE BOND CONCEPTS

1. OS bond is a tool to help preserve open space
  - a. It is only used when a willing landowner offers a conservation easement or development rights to a willing purchaser (usually a land trust or other qualified land preservation organization);
  - b. It is only used when City Council approves the specific project based on an evaluation of: (1) whether and to what extent the project preserves inter-city space; (2) whether and to what extent the project preserve's Midway's unique character; (3) whether and to what extent the project adds to or creates a sense of openness; and (4) whether and to what extent the project provides public recreation venues.
  - c. It is only used after a approval by the City Council after a public hearing
  - d. If it is not used, there is no tax impact on the citizens of Midway
2. Having access to an OS Bond "tool":
  - a. Allows the City Council to participate with willing landowners, individuals, donors, land preservation agencies, and other agencies to acquire and preserve open space to benefit the citizens of Midway without having to pay full market value.
  - b. Allows willing landowners who seek to preserve their land to show the IRS that the local community is committed to preserving open space so that the IRS can approve their application for a tax deduction should they make a donation to a qualified land trust.
  - c. Allows City Council to expeditiously determine whether a proposed OS project is appropriate for Midway and to move on it without delay in order to get the best price.
  - d. Allows the citizens of Midway to have public input to City Council before any of the bond money is actually spent.
3. Acquiring conservation easements or development rights through leveraging OS bond funds with money from other agencies, organizations, and donors preserves the OS in perpetuity. City code provisions that regulate land use and seek to preserve open space can be changed and the open space once "preserved" can be lost.
4. Without access to OS bond, open space in Midway can only be preserved through voluntary donations, land use regulations, and the good will of developers. Without an approved bond, voluntary donations from willing landowners may not be viable due to IRS restrictions on when and to what level tax deductions may be taken by the landowner. Land use regulations can, to a limited extent, contribute to open space, but those regulations can be changed in the future and, in any case, they are limited by both the U.S. and Utah constitutions. Developers who purchase agricultural land to build homes may incorporate open space in their designs above and beyond that required by land use regulations. While their good will is appreciated, it cannot be expected or demanded.

\*Avoiding City Ownership: With some exceptions, it is generally not in the City's interest to hold title to real estate. Where possible, it is desirable for property to remain under current ownership and be maintained primarily for its current general use. Ideally, open space is preserved through acquisition of some or all development rights, or the creation of conservation easements while legal ownership of the property remains with the willing landowner.

## STEPS AFTER VOTER APPROVAL

1. With the successful passage of the Midway Open Space Bond Initiative, the Open Space Advisory Committee (OSAC) will commit in our evaluation and selection process to;
  - Work with willing landowners who have visible and unique lands currently not available for development due to slope, aspect, zoning, access, habitat, historic or resource values, etc., and which may be subject to municipal or legislative changes in the future;
  - Roadways and viewsheds leading into Midway City boundaries including Midway Lane, River Road, State Highway #113 from Charleston and Pine Canyon and;
  - An open solicitation process for willing landowners or their representatives, private donors, qualified land preservation organizations, and foundations who are motivated to work with the City in acquiring or preserving open space under the 2017 General Plan and Bond language on the November ballot.
2. The OSAC will adopt criteria and process for evaluating projects in conjunction with the 2017 General Plan and City Council prior to soliciting willing landowners or their representatives for opens space evaluation or action.
3. All recommendations from the OSAC for funding will be brought forward to the City Council for their evaluation and action, in the spirit of the role of the OSAC charter and in accordance with State law.

# WHY IS "AGRICULTURAL" OPEN SPACE SO HARD?

	LARGE TRACT	"BACKYARD"
PURPOSE	PRESERVE RURAL ATMOSPHERE	MAINTAIN "PRIVATE" VIEWS
LEVERAGE	PARTNERSHIP \$\$\$ AVAILABLE 2 - 4 X SEVERAL SOURCES	PARTNERSHIP \$\$\$ UNAVAILABLE OR VERY LIMITED
COMMUNITY BENEFIT	BROAD COMMUNITY BENEFIT VISIBLE FROM CITY ARTERIES	LIMITED BENEFIT, CONTAINED TO SPECIFIC NEIGHBORHOODS
MAINTENANCE	FINANCIALLY MOTIVATED SUSTAINABILITY / USE	PERSONAL PREFERENCE SUSTAINED USE
TYPICAL SIZE	8 ++ ACRES	2 - 5 ACRES
LIKELY LOCATION	WITHIN CITY ANNEXATION LIMITS ADJACENT TO 3 CITY ARTERIES	WITHIN CITY LIMITS

- LARGE TRACT:  
PRODUCTIVE AND  
FINANCIALLY SUSTAINABLE USE

- "BACKYARD":  
UTAH OPEN LANDS TERM  
LOCALIZED NEIGHBORHOOD  
RURAL SPACE

- "TWEENERS"  
UNIQUE AND REQUIRE  
SPECIAL CONSIDERATION

**PROPOSED BOND AMOUNT**

\$ 5,000,000

**ASSESSED HOME VALUE**

\$ 100,000	\$ 27.16
\$ 150,000	\$ 40.74
\$ 200,000	\$ 54.32
\$ 250,000	\$ 67.90
\$ 300,000	\$ 81.48
\$ 350,000	\$ 95.06
\$ 400,000	\$ 108.64
\$ 500,000	\$ 135.80
\$ 600,000	\$ 162.96
\$ 700,000	\$ 190.12
\$ 800,000	\$ 217.28
\$ 900,000	\$ 244.44
\$ 1,000,000	\$ 271.61

**TOTAL TAX INCREASE**

4.0%

ANNUAL COST PER \$1000 PRIMARY H.Q.

\$ 0.272

ANNUAL COST PER \$1000 SECONDARY H.Q.

\$ 0.494

- ESTIMATED ANNUAL TAX IMPACT FOR PRIMARY RESIDENCE BASED ON DEFERRING BOND SIZES AND ASSESSED MARKET VALUE
- TOTAL TAX INCREASE PERCENTAGE IS SAME FOR BOTH PRIMARY AND SECONDARY
- MAY TAKE A FEW YEARS TO ISSUE MAXIMUM BOND AUTHORIZATION
- RENTERS GENERALLY PAY PROPERTY TAXES AS AN OPERATING COST PASS-THRU