



PLANNING COMMISSION MEETING STAFF REPORT

DATE OF MEETING: September 20, 2017

NAME OF APPLICANT: Midway City

AGENDA ITEM: Code Text Amendment of Title 16:18

ITEM: 10

Midway City is proposing a Code Text Amendment of Midway City's Land Use Code of Section 16.18 that would amend the access requirements for Rural Preservation Subdivisions.

BACKGROUND:

The City recently adopted the Rural Preservation Subdivision code. The code was adopted to secure open space, lower potential density, and preserving the rural atmosphere of Midway. Basically, the City allows lots at a base density of five to be created without requiring the construction of much of the cost prohibitive infrastructure that is normally required but in return the lots are deed restricted so that they can never be resubdivided.

The City has received two applications for Rural Preservation subdivisions since the code was adopted. With the Kelson Rural Preservation subdivision the issue of access was found to not be as clear as it should have been. The argument was made during the application process that the Kelson subdivision needed two points of access like standard subdivisions are required. The intent of the Rural Preservation subdivision was to only require one access to a City standard road. Staff is proposing the following language to resolve this issue:

Section 16.18.15 *Single Point of Access*

A Rural Preservation subdivision is required to have only one point of access. Because of the decreased density and decreased impact on the community of Rural Preservation subdivisions, two points of access are not required and cul-de-sac length limitations are not considered.

POSSIBLE FINDINGS:

- Only one point of access will be required for Rural Preservation subdivisions
- The proposed language will clarify access requirements
- It was never the intent of the code to require two points of access

ALTERNATIVE ACTIONS:

1. Recommendation of Approval. This action can be taken if the Planning Commission feels that the proposed language is an acceptable addition 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 feels 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