

Midway City Council
5 October 2021
Regular Meeting

Ordinance 2021-33 /
Road System Master Plan
Amendment



Midway

CITY COUNCIL MEETING STAFF REPORT

DATE OF MEETING: October 5, 2021
AGENDA ITEM: General Plan Amendment
DOCUMENT: Road System Master Plan
NAME OF APPLICANT: Brandon Nielson
PROPERTY OWNER: Brandon Nielson

ITEM: 8

Brandon Nielson is proposing a General Plan Amendment to amend the Midway City's Road System Master Plan. This proposal would remove the future planned 100 South road from 300 West to 400 West through parcel 06-3771.

BACKGROUND:

Brandon Neilson is proposing a General Plan Amendment. The proposal is to amend the City's Road System Master Plan and remove a planned connection of 100 South that will connect to another future planned road of 400 West. The planned road that is proposed for removal has been part of the City's planned roads since the original Midway plat was recorded in the late 1800s. The road was also included on the 1977 Master Street Plan. The City must decide, even if the road has been planned for over one hundred years, is the road necessary for the communal benefit of Midway.

The owner of the property is proposing the amendment so that if his property is developed then the road connection will not be required. What is offered, according to the application, is a low-density development and to preserve open space. The application states that if the proposal is approved, the five-acre property where most of the road will be located, will be deed restricted to one lot instead of the potential high-density development that could be developed on the property.

Amending the General Plan is a legislative action. The City Council is under no obligation to approve an amendment. All issues should be considered in a legislative process which is unlike when the City Council acts administratively.

ANALYSIS:

The Nielson property could be developed if the planned road is built. The road would create frontage on both sides of the street for lots in the development and other roads would also be constructed on the property to create the required frontage for each lot. Staff estimates that the property could contain up to 20 single family dwelling lots. Duplexes are also a permitted use in the R-1-7 zone and approximately 15 duplex lots could be created which would contain 30 dwelling units. If the applicant's proposal is approved, they would record a one-lot subdivision and deed restrict the lot to one dwelling (it is staff's understanding from information shared by the applicant that the lot is not a lot of record and therefore, in order for a building permit to be issued, it would need to be recorded as a subdivision). If the City decides to approve the proposal, a condition of approval could also be to require the deed restriction before the road is removed from the Master Street Plan, similar to the condition that was required on the petition to remove the future planned 600 North from Center Street to Pine Canyon Road.

Whenever there is a proposed amendment to the land use code or one of the adopted maps the City should look to the General Plan for guidance. There should be support for any proposed amendments in the General Plan for an amendment to be successful.

One of the goals of the General Plan is to preserve open space and a rural atmosphere. Clearly reducing the density on the property and eliminating a future road would help meet those goals. The following is support from the General Plan for preserving open space and a rural atmosphere:

Elements of the Community Vision

- *Effective planning through clustering, setbacks, Transfer Development Rights and animal/agriculture ordinances will help Midway to preserve its view corridors, maintain open spaces and reinforce a country/rural feeling.*
- *Midway is characterized by valuable open space resources that contribute to the community's character and overall quality of life. Open spaces hold value for ecological, agricultural, cultural and recreational qualities, and these lands are worthy of careful planning and conservation.*

- *Midway will retain a rural atmosphere through open space preservation*
 - *Through effective zoning, Midway will plan for density closer to its core reinforcing more open space and less density as the City grows to its limits.*
 - *All developments will incorporate various kinds of open space into their projects.*
 - *Open spaces will be accessible, visible, appropriately landscaped (depending on the open space purpose and use) and will be aesthetically pleasing.*
 - *Development and City entryways will be landscaped, aesthetically pleasing and, where appropriate, will reinforce a Swiss/ European theme.*
 - *Effective planning through clustering, setbacks, Transfer Development Rights and animal/agriculture ordinances will help Midway to preserve its view corridors, maintain open spaces and reinforce a country/rural feeling.*
 - *Animal rights will be protected and promoted to help preserve the rural atmosphere and preserve open space.*

- *Guideline 5: Encourage the preservation of prime agricultural land and open space within Midway and the surrounding valley. High-quality, well-planned residential areas with open spaces that support and complement the unique rural quality and character of the City;*

- *Goal 2: Encourage open space to preserve a high quality of life and to preserve Midway's rural atmosphere.*

- *Development Vision*
 1. *High-quality, well-planned residential areas with open spaces that support and complement the unique rural quality and character of the City;*
 2. *Open space areas, while preserving sensitive lands.*

Again, clearly there is support in the General Plan to preserve open space and to maintain a rural atmosphere. The General Plan also focuses on transportation and the needed connectivity that allows a community to function. The City has adopted the Road System Master Plan to assure roads are built in areas where they have been identified that they are needed. The following are selections from the General Plan regarding future street planning and connectivity:

- *The transportation element is designed to provide for the safe and efficient movement of people and goods in the City. Its primary purpose is to balance current and future demands generated by projected future growth with roadway improvements. In essence, it is a long-range transportation plan which would efficiently support future land development and ultimately Midway's vision for the future.*

- *Additional east-west mobility will be central to mitigating these effects. As Midway continues to grow, building a complete system of roads and trails using multiple corridors and alternatives will become even more important.*
- *Neighborhood connectivity is important for local traffic and for emergency response and should be considered for all new development. Neighborhood connectivity will allow local traffic to use local streets and through traffic to use the collector roads which will allow traffic to be the safest and most efficient.*
- *Transportation Goals and Guidelines*
 - *Objective 2: Design an adequate transportation system for current and future residents and areas of development.*
 - *Guideline 3: Neighborhood connectivity is important for local traffic and for emergency response and is preferred for all new development.*

One point emphasized in the General Plan is connectivity which is important for local traffic and emergency response. Local traffic is dispersed when there are more options. Also, emergency response is affected if there are limited options to arrive at the site of an emergency. Even road construction benefits if there are options for traffic detours. All these items make connectivity important to have a transportation system that functions for a community.

PLANNING COMMISSION RECOMMENDATION:

Motion: Commissioner Cliften: I make a motion that we recommend approval of a General Plan Amendment to amend the Midway City’s Road System Master Plan. This proposal would remove the future planned 100 South Road from 300 West to 400 West through parcel 06-3771. We approve the staff report and the one condition listed in the staff report.

Seconded: Commissioner Ream

Chairman Nicholas: Any discussion on the motion?

Chairman Nicholas: All in favor.

Ayes: Commissioners: Garland, Bouwhuis, Ream and Cliften

Nays: None

Motion: Passed

PROPOSED FINDINGS:

Findings supporting the amendment:

- Potential density could be reduced if the road is removed.
- Goals in the General Plan promote open space and a rural atmosphere.
- The General Plan promotes reducing density whenever appropriate.

Findings opposing the amendment:

- The road has been planned since 1977 and even back to the 1800s.
- With less connecting roads, more traffic is forced on to the existing roads which compounds as Midway grows.
- Goals in the General Plan promote connectivity for local traffic circulation and emergency response.
- More connectivity allows for options for detours when roads are under construction.

ALTERNATIVE ACTIONS:

1. Approval. This action can be taken if the City Council finds there is good cause to amend the General Plan.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for approval (findings)
2. Continuance. This action can be taken if the City Council finds that there are unresolved issues.
 - 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. Denial. This action can be taken if the City Council finds there is not good cause to amend the General Plan.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for denial

RECOMMENDED CONDITION:

The General Plan amendment is conditioned that the Road System Master Plan is not amended until the plat for the one lot subdivision and the deed restriction are both recorded. If the one-lot subdivision is not recorded, then the Road System Master Plan will not be amended, and 100 South will remain as part of the General Plan.

Exhibits

Exhibit 1 – Current Road System Master Plan

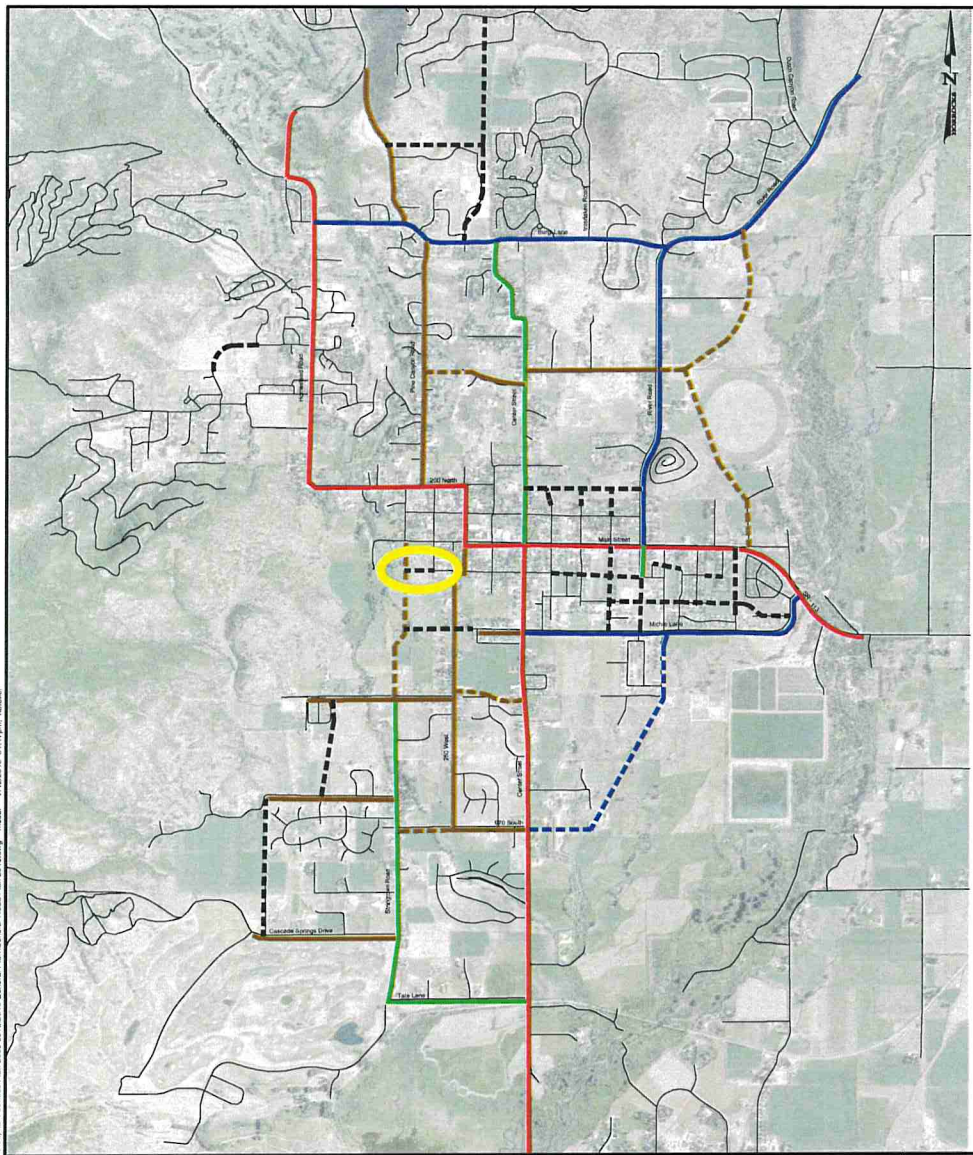
Exhibit 2 – Aerial map showing future 100 S and 400 W

Exhibit 3 – Original Midway Plat from the late 1800s

Exhibit 4 – 1977 Master Street Plan

Exhibit 5 – Land Use Map with outlined Nielson parcel

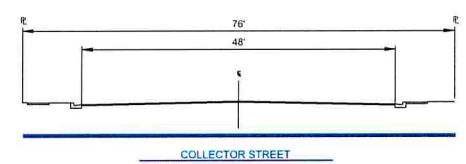
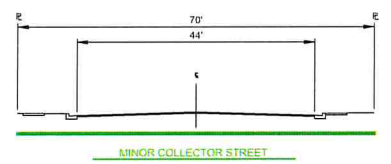
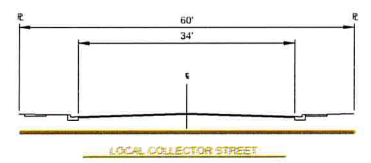
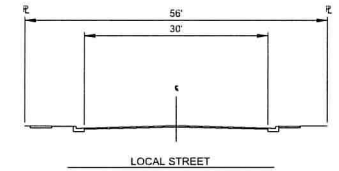
Exhibit 1



ROAD SYSTEM MASTER PLAN

LEGEND

- EXISTING LOCAL COLLECTOR
- EXISTING MINOR COLLECTOR
- EXISTING COLLECTOR
- EXISTING MINOR ARTERIAL (UDOT)
- NEW OR UPGRADED LOCAL
- NEW OR UPGRADED LOCAL COLLECTOR
- NEW OR UPGRADED MINOR COLLECTOR
- NEW OR UPGRADED COLLECTOR



H:\Midway_City\City\Projects\Roads\General_Plan\GIS\General_Road_Plan_2018.dwg - Model - 7/12/2018 8:11:17pm - rdsalke

SCALE	WARNING
HORIZONTAL NONE	
VERTICAL NONE	IF THIS BAR DOES NOT MEASURE 1" THEN DRAWING IS NOT TO SCALE

HORROCKS
ENGINEERS

2162 West Grove Parkway
 Suite 400
 Pleasant Grove, UT 84062
 (801) 763-5100

MIDWAY CITY ROAD SYSTEM MASTER PLAN

DESIGNED	DATE	PROJECT NO.	
DRAWN	DATE	SHEET NO.	
CHECKED	DATE	DRAWING NO.	
WSJ	7/2018	1 of 2	P-1

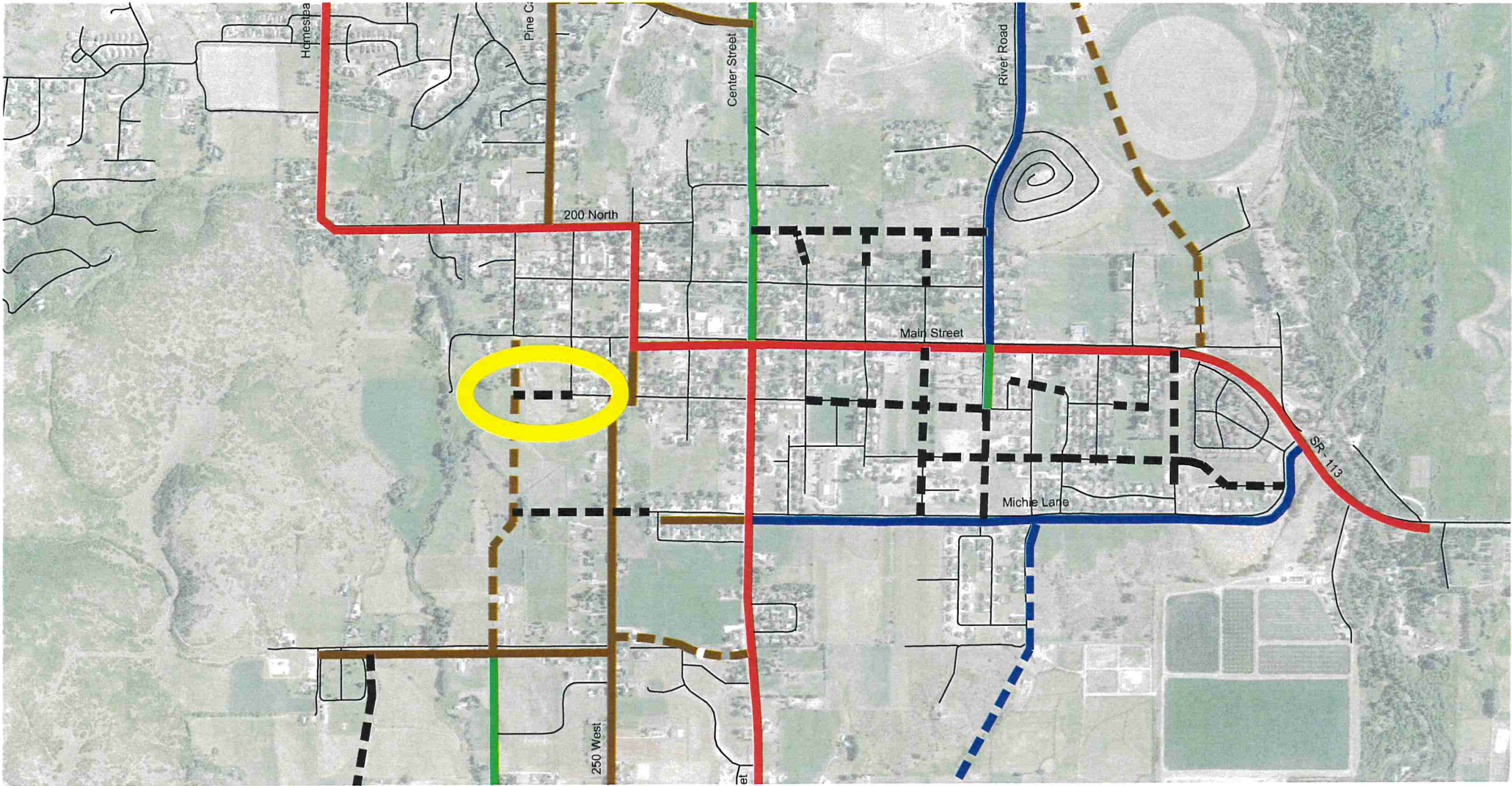


Exhibit 2



Exhibit 3

Midway.

N. half of the N. E. q. Sec. 34. T. 3. S. 4 East.

N.W. S.W. q. of Sec. 35. T. 3. S. 4 East.

North

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West

South

W. H. A. Bunker
J. H. A. Bunker
E. of J. H. A. Bunker

Midway

the S.E. Q. Sec. 34. T.S. 3, 4 East

North

North half of the S.W. Q. Sec. 34. T.

BLOCK 20

Simon Schneiter
George Dabling
Jacob E. Zenger
John W. Winch

BLOCK 19

Jacob Burgener
Christian Abegglen
Christian Schoney

BLOCK 18

John Davis
John Robinson

BLOCK 17

Mary Gerber
George Dabling

BLOCK 16

Lewis Gerber
Harvey H. Meeks
Joseph Jacob

BLOCK 9

Ezekial Bates
John Huber
George Dabling
Samuel Thompson
Jeremiah Robey
Sidney H. Epperson

BLOCK 10

Public Square
Midway School District
Co-Op

BLOCK 11

John Moser
John Robertson
J.B.
Nathan C. Springer
Joseph McCarrell
J.C.

BLOCK 12

Mark Smith
John Watkins
David Van Wagonen

BLOCK 13

Charles Gurney
George Bonner
John Shelton

Center Street

Main Street

BLOCK 6

Jeremiah Robey
Sidney H. Epperson

BLOCK 5

J.W.J.
G.O.
David Van Wagonen
Sarah Wood
Catherine Wood

BLOCK 4

Attawall Wooten
John Van Wagoner
Ephraim Van Wagoner
James W. Provost

BLOCK 3

E.R. Wardle
George Wardle
James Hamilton
Charles H. Love

BLOCK 2

Isaac Bowman
Heber G. Wardle
George Wardell
J.M.

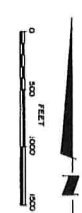
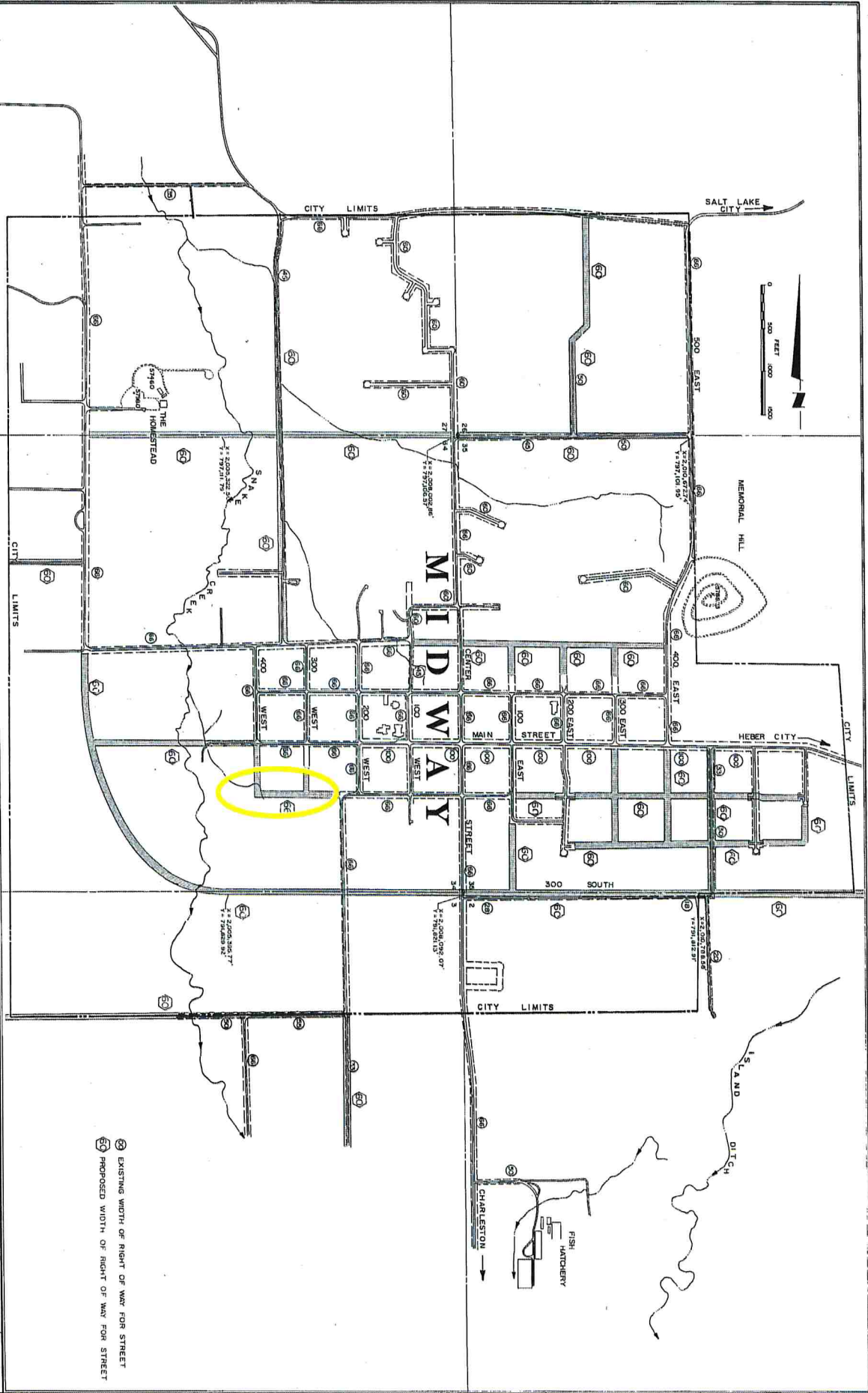
Exhibit 4

1. DATE: 10/1/97
 2. DRAWN BY: [Signature]
 3. CHECKED BY: [Signature]
 4. APPROVED BY: [Signature]

DISSEMINATION
 DATE: OCT. 1997
 BY: [Signature]

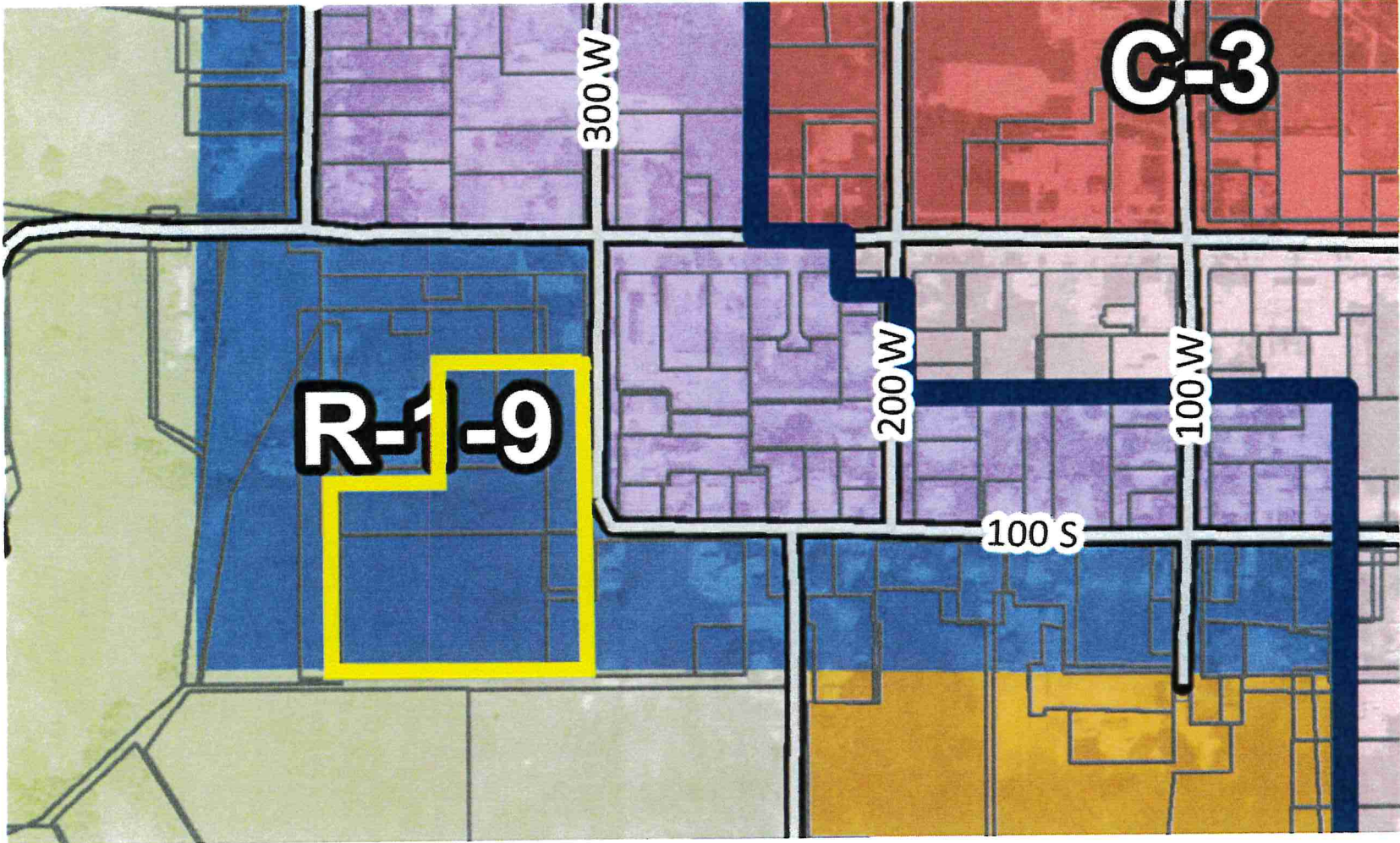
NIelsen, MAXwell & WANSgARD
 CONSULTING ENGINEERS
 SALT LAKE CITY - OGDEN - PROVO, UTAH

MASTER STREET PLAN
 MIDWAY CITY
 SCALE: 1" = 500'



(---) EXISTING WIDTH OF RIGHT OF WAY FOR STREET
 (---) PROPOSED WIDTH OF RIGHT OF WAY FOR STREET

Exhibit 5





Midway

ORDINANCE

2021-_____

AN ORDINANCE TO REMOVE THE PLANNED EXTENSION OF 100 SOUTH FROM 300 WEST TO 400 WEST THROUGH PARCEL 06-3771 FROM THE ROAD SYSTEM MASTER PLAN.

WHEREAS, Midway City has adopted a Road System Master Plan that governs all roads that have been or are planned to be constructed within the City; and

WHEREAS, the current Road System Master Plan contains a plan for 100 South to be extended from 300 West across Parcel 06-3771 to 400 West; and

WHEREAS, if this extension of the road is built, it will create frontage on both of its sides, allowing for up to 20-30 dwelling units to be constructed in this area of the R-1-7 zone, as well as additional roads to create the required frontage for each lot; and

WHEREAS, the owner of Parcel 06-3771 is proposing that the Road System Master Plan be amended to remove the road extension of 100 South from 300 West to 400 West to prevent this high-density development from being constructed; and

WHEREAS, the owner of Parcel 06-3771 is proposing this amendment so that if his property is developed as one deed-restricted, five acre lot, the road connection will not be required and significant open space will be preserved; and

NOW THEREFORE, be it ordained by the City Council of Midway City, Utah, as follows:

The following planned road shall be removed from the Midway City Road System Master Plan at the time the owner of Parcel 06-3771 records the plat for a one-lot subdivision with a deed restriction that the parcel cannot be further subdivided in the future:

The planned extension of 100 South from 300 West to 400 West

This ordinance shall take effect upon publication as required by law.

PASSED AND ADOPTED by the City Council of Midway City, Wasatch County, Utah
this ____ day of October, 2021.

	AYE	NAY
Council Member Steve Dougherty	_____	_____
Council Member Jeff Drury	_____	_____
Council Member Lisa Orme	_____	_____
Council Member Kevin Payne	_____	_____
Council Member JC Simonsen	_____	_____

APPROVED:

Celeste Johnson, Mayor

ATTEST:

Brad Wilson, City Recorder

APPROVED AS TO FORM:

Corbin Gordon, City Attorney

(SEAL)