

Midway City Council
4 August 2020
Regular Meeting

Ordinance 2020-16 /
Road System Master Plan
Amendment



Midway

CITY COUNCIL MEETING STAFF REPORT

DATE OF MEETING: August 4, 2020
AGENDA ITEM: General Plan Amendment
DOCUMENT: Road System Master Plan
NAME OF APPLICANT: Berg Engineering
PROPERTY OWNER: Ryan Davis

ITEM: 13

Berg Engineering, agent for SC Partners and Ryan Davis, is proposing a General Plan Amendment. The proposal is to amend the City’s Road System Master Plan and remove part of a planned connection of 600 North between Pine Canyon Road and Farm Springs Road.

BACKGROUND:

Berg Engineering, agent for SC Partners and Ryan Davis, is proposing a General Plan Amendment. The proposal is to amend the City’s Road System Master Plan and remove part of a planned connection of 600 North between Pine Canyon Road and Farm Springs Road. Further, the City adopted an ordinance that shows the alignment for the future road which would need to be rescinded if the proposal is approved. Ordinance 2012-22 was adopted to specifically show the alignment of the future street. This is the only road on the entire Road System Master Plan that has a specific alignment. Most of the roads on the plan are connecting “A” to “B” with no

specific adopted alignment. Whereas the road in question has been planned and reviewed to dictate where the road will be constructed.

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. Exactly how this would be accomplished would need to be determined. A concept plan was submitted as part of the application for the future development, but the proposal does not comply with any current codes. The City is exploring the idea that creating another small preservation subdivision code that may help the property owner, and other property owners in the City, to develop his property in the manner shown in the concept plan but until an ordinance is adopted, that option would not be available. A further question would be that if a low-density option is available, what guarantees would be made to assure that the development remains low-density and the property is not developed further in the future.

The road section that is petitioned for removal was first found on the City's 1977 Master Street Plan. It has remained ever since. Multiple owners have owned the property with the road planned to cross this area, including the current owner. Staff discussed the planned road with the current owner before the property was purchased. The property owner does have the right to seek an amendment.

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 Davis 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. Staff estimates that the property could contain up to ten lots, six on the south side of the street and four on the north, which would allow for nine new dwellings since there is one dwelling already present on the property.

Whenever an amendment to the land use code or one of the adopted maps of the City are proposed, 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 should be 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 that functions for a community.

There are limited options for an east-west connection north of Main Street. The two closest roads that connect east-west is Burgi Lane and 200 North. These two roads are separated by nearly a mile. This area covers most of the north area of town. If 600 North is connected, it will create an option almost exactly between the two roads and the connection would be at about the half mile mark. In other words, if there is a connection, the location of 600 North is in the ideal location being almost exactly halfway between Burgi Lane and 200 North. There is only one other option for a connecting road which is the stub road from the Swiss Farms subdivision. The stub road from Swiss Farms is located relatively close to Burgi Lane so there is limited advantage to a through road that far north. All other routes are blocked because of sensitive lands and platted subdivisions.

Another consideration is the temporary cul-de-sac that is in place on Farm Springs lots 10 and 11 until the road connects to Pine Canyon Road (see attached plat). If the road is removed from the Road System Master Plan, then the temporary cul-de-sac will become permanent and the two lots will be encumbered with the easement partially covering both lots.

The City is left with the debate of several items which include:

- How important is 600 North?
- Do we need to have a connecting road in an area where the nearest connecting roads are a mile apart and there are almost no other options?
- How is local traffic, emergency services, and future road construction detours impacted if the road is removed? How does this impact the community for the short-term and at full build out when Midway's population and traffic counts could be double or more?
- Open space and a rural atmosphere are important but are they important enough on a 3.9-acre parcel to eliminate the planned road?
- Eliminating the road could possibly reduce potential density from ten lots to two lots (assuming a code is adopted that could be used on the property). Does this make the proposal more acceptable?
- Should the impacts of Farm Springs lots 10 and 11 be considered since a temporary cul-de-sac easement will become permanent if the petition is approved.

PLANNING COMMISSION RECOMMENDATION:

Motion: Commissioner Bouwhuis: I make a motion that we deny the request to amend the General Plan Amendment. The proposal is to amend the City's Road System Master Plan and remove part of a planned connection of 600 North between Pine Canyon Road and Farm Springs Road. We accept the staff findings as there is not enough incentive for the city to recommend changing the Road System Master Plan.

Seconded: Commissioner Garland

Chairman Nicholas: Any discussion on the motion?

There was none

Chairman Nicholas: All in favor.

Ayes: Commissioners: Ream, McKeon, Whitney, Bouwhuis, Crawford, Garland

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.
- The City adopted Ordinance 2012-22 which specified the exact location of the road.
- There are limited options for connecting Center Street and Pine Canyon Road.
- 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

Exhibits

Exhibit 1 – Applicant’s submittal documents

Exhibit 2 – 1977 Master Street Plan

Exhibit 3 – Current Road System Master Plan

Exhibit 4 – Ordinance 2012-22

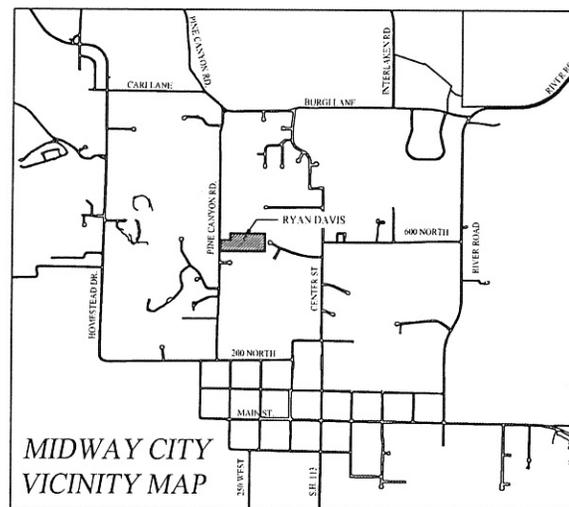
Exhibit 5 – Farm Spring Subdivision Plat with 600 North connection highlighted along with temporary cul-de-sac easement

Exhibit 1

RYAN DAVIS GENERAL PLAN AMENDMENT

SHEET INDEX

1. MIDWAY ROAD SYSTEM MASTER PLAN
2. PROPOSED AMENDMENT TO ROAD SYSTEM MASTER PLAN
3. COUNTY PARCEL MAP
4. SLOPE MAP
5. ENVIRONMENTAL CONSTRAINTS
6. 2 LOT PLAN WITH ROAD MASTER PLAN AMENDMENT



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PAUL D. BERG, P.E.
SERIAL NO. 285085
DATE: 12 JUNE 2020

RYAN DAVIS	
2020 SUBDIVISION	
COVER SHEET	
 BERG ENGINEERING <small>302 E. Main St. Suite 204 Midway, MO 64579 ph 417.637.9749</small>	
DESIGN BY: PDB	DATE: 12 JUNE 2020
DRAWN BY: DJC	SCALE: 0
SHEET	0

2020 SUBDIVISION ROAD AMENDMENT - 10 JUNE 2020

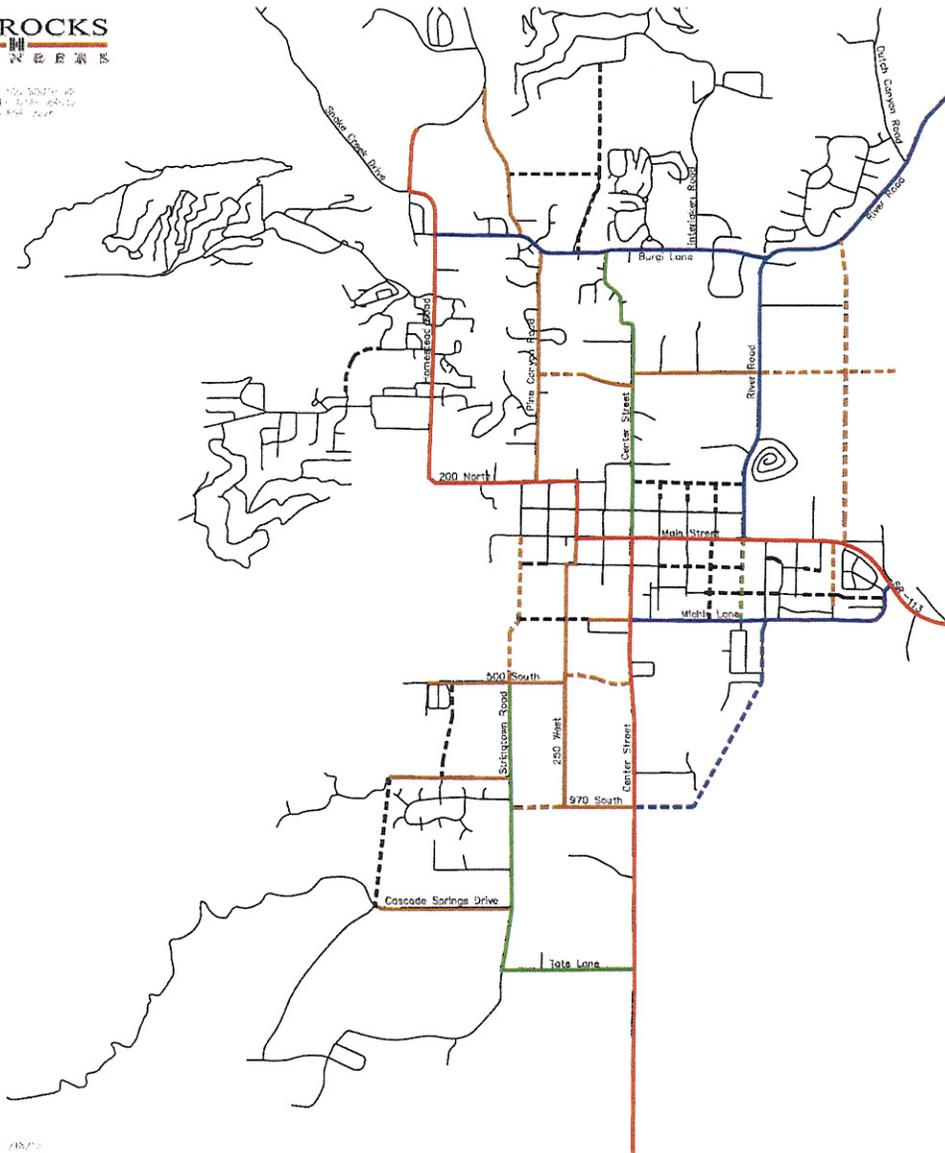
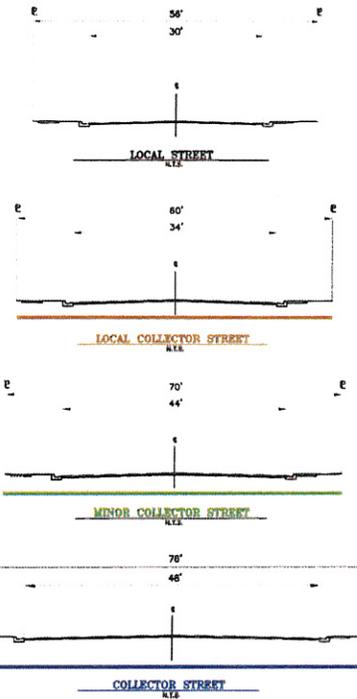
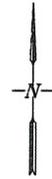


FIGURE 2-1
MIDWAY CITY
ROAD SYSTEM
MASTER PLAN

LEGEND

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



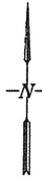
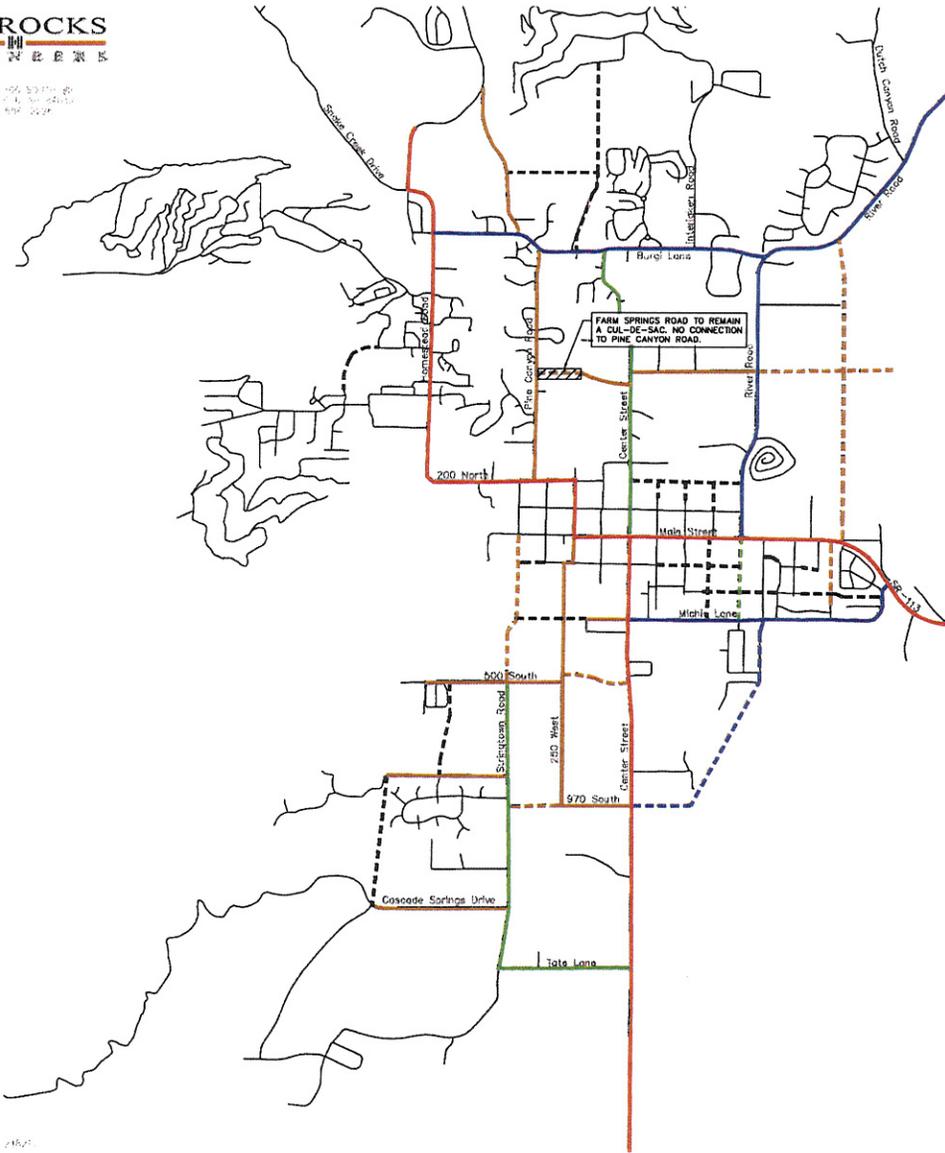
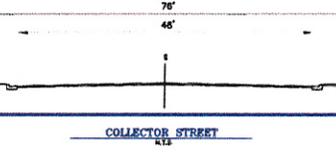
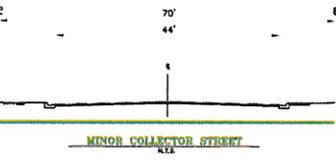
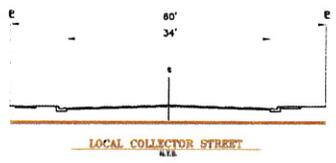
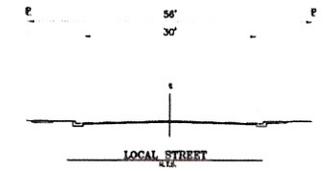


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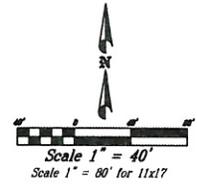
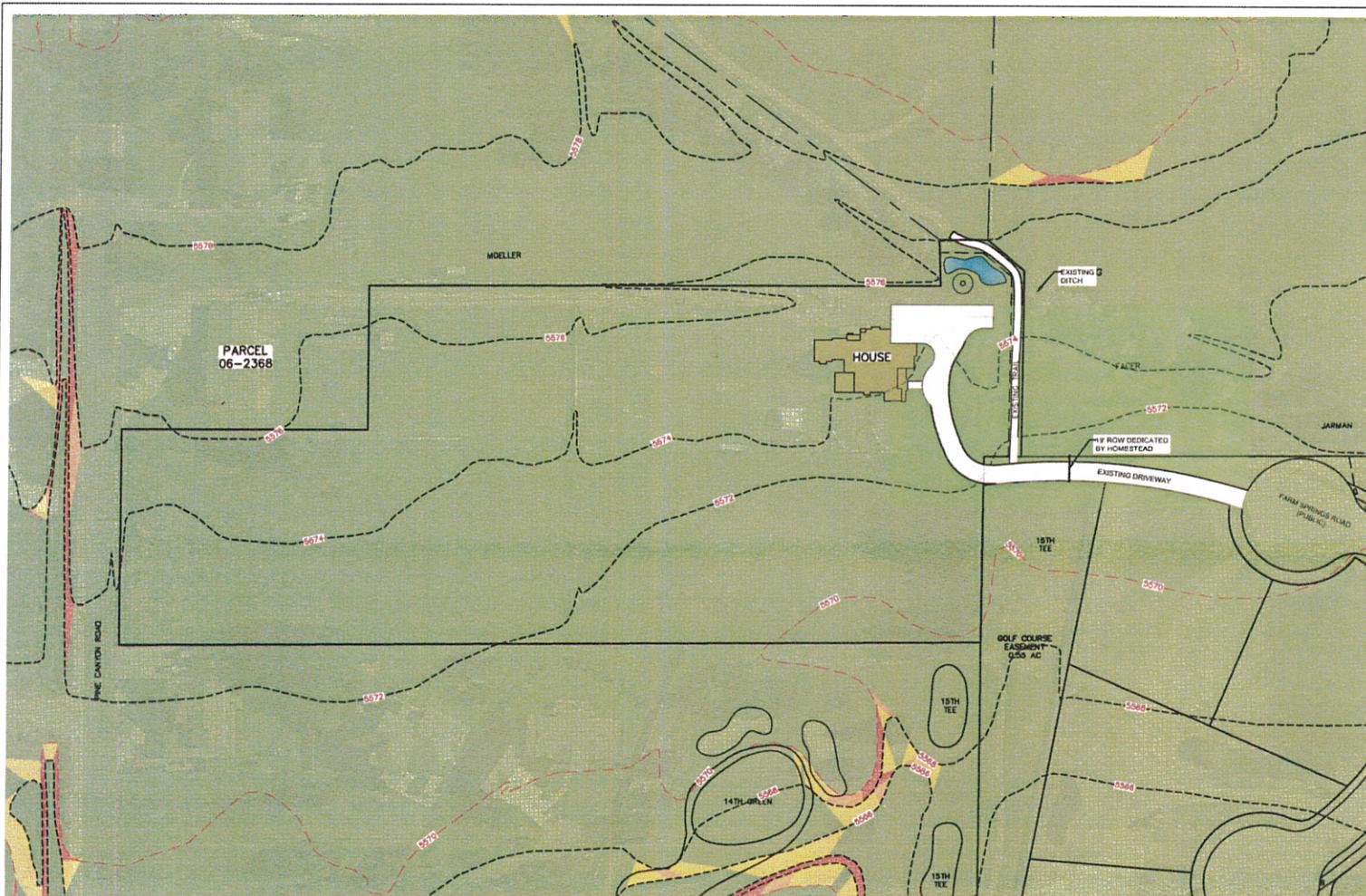
Wasatch County Web Map



Address	Section Corner	Trail	Municipal	Collector	Proposed	Subdivision	Park	Building	Grass	Water
Not Good	Trail Head	SINGLE TRACK	Road	Local	Proposed Private	Water Body	Apron	Dirt	Lawn	Parcel
Good		DOUBLE TRACK	Highway	Local Private	Railroad		Asphalt	Field	Sidewalk	

The boundary lines shown here have been generated for the internal use of Wasatch County and should only be used for general reference purposes.
 Questions concerning ownership, boundary locations should be directed to a title company, attorney, or licensed land surveyor. Wasatch County makes no warranty as to the accuracy or usefulness of the information. The end user of this information assumes all responsibility concerning the information's appropriate use.

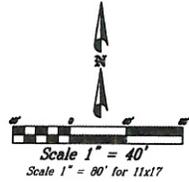
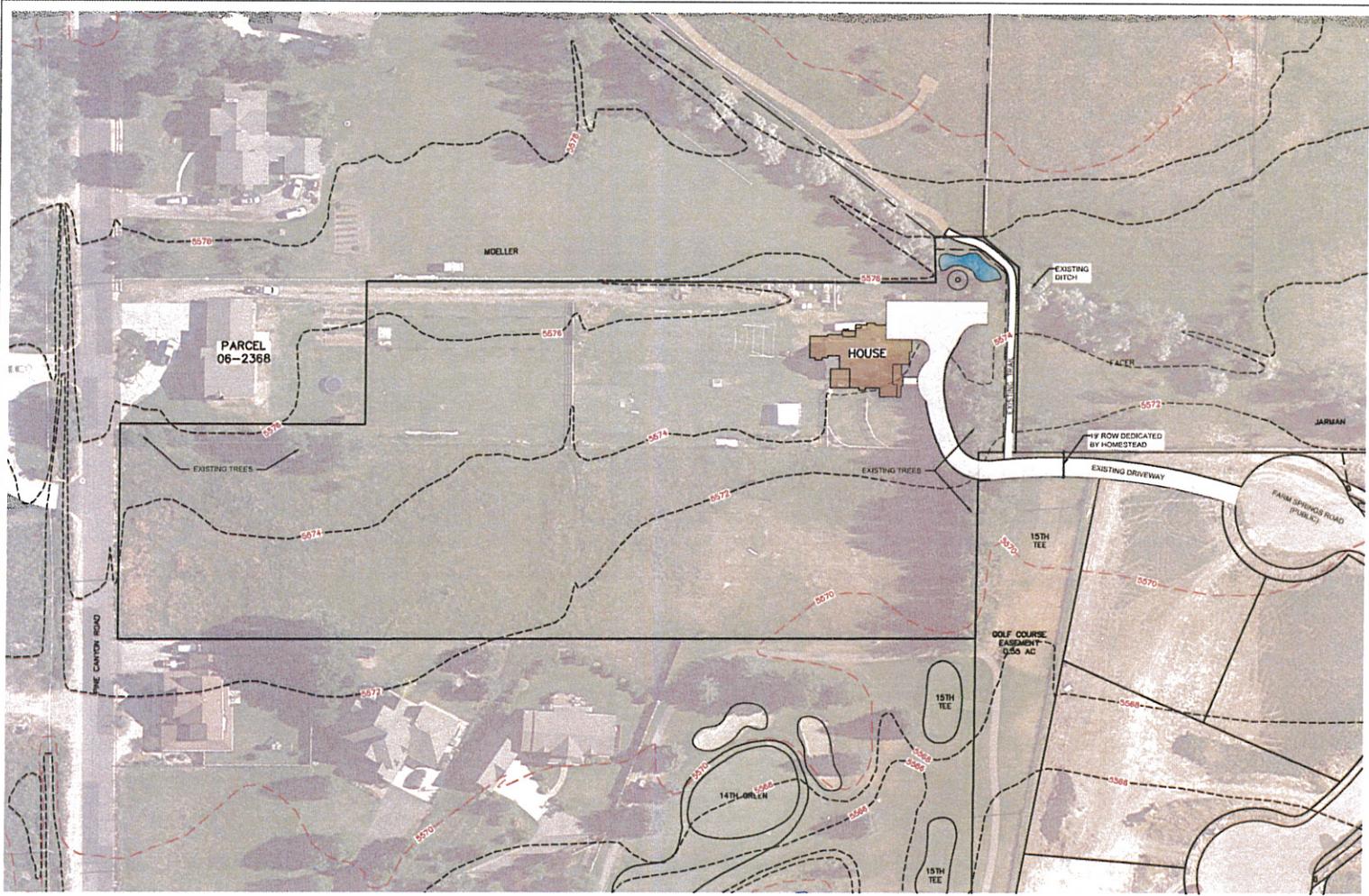




SLOPE LEGEND
 GREEN: 0 - 10% SLOPES
 YELLOW: 10 - 20% SLOPES
 ORANGE: 20 - 25% SLOPES
 RED: 25%+ SLOPES

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 P.C. NO. 202006 P.C.
 DATE: 10_JUNE_2020

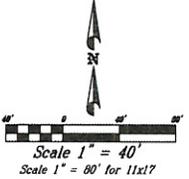
RYAN DAVIS 2020 SUBDIVISION	
SLOPE MAP	
	
DESIGN BY: PDM	DATE: 10 JUNE 2020
DRAWN BY: DEJ	REV: _____
	SHEET 4



SENSITIVE LANDS NOTE:
 EXISTING TREES ARE THE ONLY NATURAL FEATURE TO BE
 PRESERVED ON THIS PROPERTY.
 PROPERTY DOES NOT CONTAIN HILL SLOPES, SLOPES FEMA
 FLOODPLAINS, HOT POTS OR WETLANDS.

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 PAUL D. ROND... P.E.
 SERIAL NO. 38008
 DATE: 10_JUNE_2020

RYAN DAVIS 2020 SUBDIVISION		
ENVIRONMENTAL CONSTRAINTS PLAN		
 <small>380 E Main St Suite 204 Midway, UT 84049 ph 435.657.9749</small>		
DESIGN BY: PDR	DATE: 10 JUNE 2020	SHEET
DRAWN BY: DEJ	REV:	5



LOT 2 WOULD REPRESENT THE 14th LOT THAT USES THE CUL-DE-SAC. THESE ARE CURRENTLY 14 PROPERTIES THAT GAIN ACCESS FROM THE CUL-DE-SAC.
 A GENERAL PLAN AMENDMENT IS REQUIRED TO KEEP FARM SPRINGS ROAD AS A CUL-DE-SAC AND NOT CONNECT TO PINE CANYON ROAD.

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 PAUL S. BERG P.E.
 SERIAL NO. 38898
 DATE: 10 AME 2022

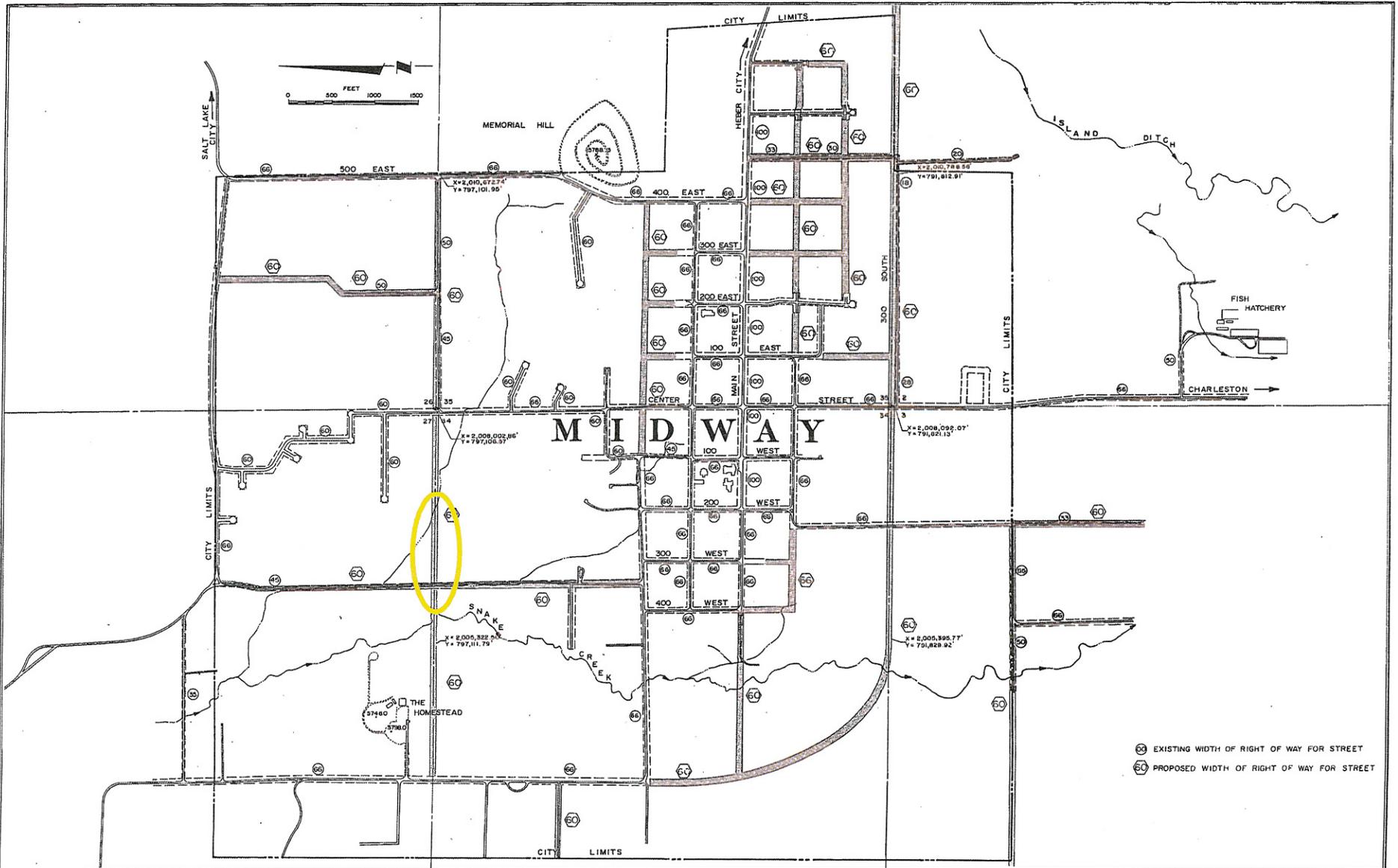
RYAN DAVIS 2020 SUBDIVISION

2 LOT CONCEPT PLAN
 WITH AMENDMENT TO
 ROAD MASTER PLAN

BERG ENGINEERING
 380 E. Main St. Suite 204
 Midway, UT 84049
 PH: 435-657-0749

DESIGN BY: PDB DATE: 10 JUNE 2020 SHEET: 6
 DRAWN BY: TBJ REV:

Exhibit 2



- ⊙ EXISTING WIDTH OF RIGHT OF WAY FOR STREET
- ⊖ PROPOSED WIDTH OF RIGHT OF WAY FOR STREET

LICENSE  PROJECT ENGINEER	2		DESIGNED A.W.M.	NIelsen, MAXWELL & WANGGARD CONSULTING ENGINEERS SALT LAKE CITY - OGDEN - PROVO, UTAH	MIDWAY CITY MASTER STREET PLAN	SHEET NO 1 OF 1 SHEETS
	1		DRAFTED E.D.S.			
	1		CHECKED A.W.M.			
	REV. DATE	DESCRIPTION	APPR. DATE OCT., 1977			

Exhibit 3

Exhibit 4



ORDINANCE 2012-22

AN ORDINANCE ADOPTING AN AMENDMENT TO THE MIDWAY CITY ROAD SYSTEM MASTER PLAN MAP

WHEREAS, Utah Code Section 10-9a-407 authorizes municipalities to adopt official maps; and

WHEREAS, the City Council of Midway City finds that certain amendments to the current Midway City Road System Master Plan Map are necessary and will serve the public interest.

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

Section 1: Pursuant to Utah Code Section 10-9a-407, the Midway City Road System Master Plan Map, attached hereto as Exhibit A, is amended to reflect, include and incorporate by reference the alignment of the proposed public road known as 600 North Street as shown on the site plan attached hereto as Exhibit B and the aerial map attached hereto as Exhibit C.

Section 2: This ordinance shall take effect upon publication or posting as may be required by law.

PASSED AND ADOPTED by the City Council of Midway City, Wasatch County, Utah this 12th day of December, 2012.

	AYE	NAY
Council Member Colleen Bonner	<u> X </u>	<u> </u>
Council Member Steve Ashton	<u> X </u>	<u> </u>
Council Member Dick Hines	<u> X </u>	<u> </u>
Council Member Danny Hofheins	<u> X </u>	<u> </u>
Council Member Ken Van Wagoner	<u> X </u>	<u> </u>

APPROVED:

Connie Tatton
Connie Tatton, Mayor

ATTEST:

Brad Wilson
Brad Wilson, City Recorder

APPROVED AS TO FORM:

Kraig Powell
Kraig Powell, City Attorney



HORROCKS
ENGINEERS

228 WEST 100 SOUTH #2
HEBER CITY, UTAH 84052
(801) 964-2226

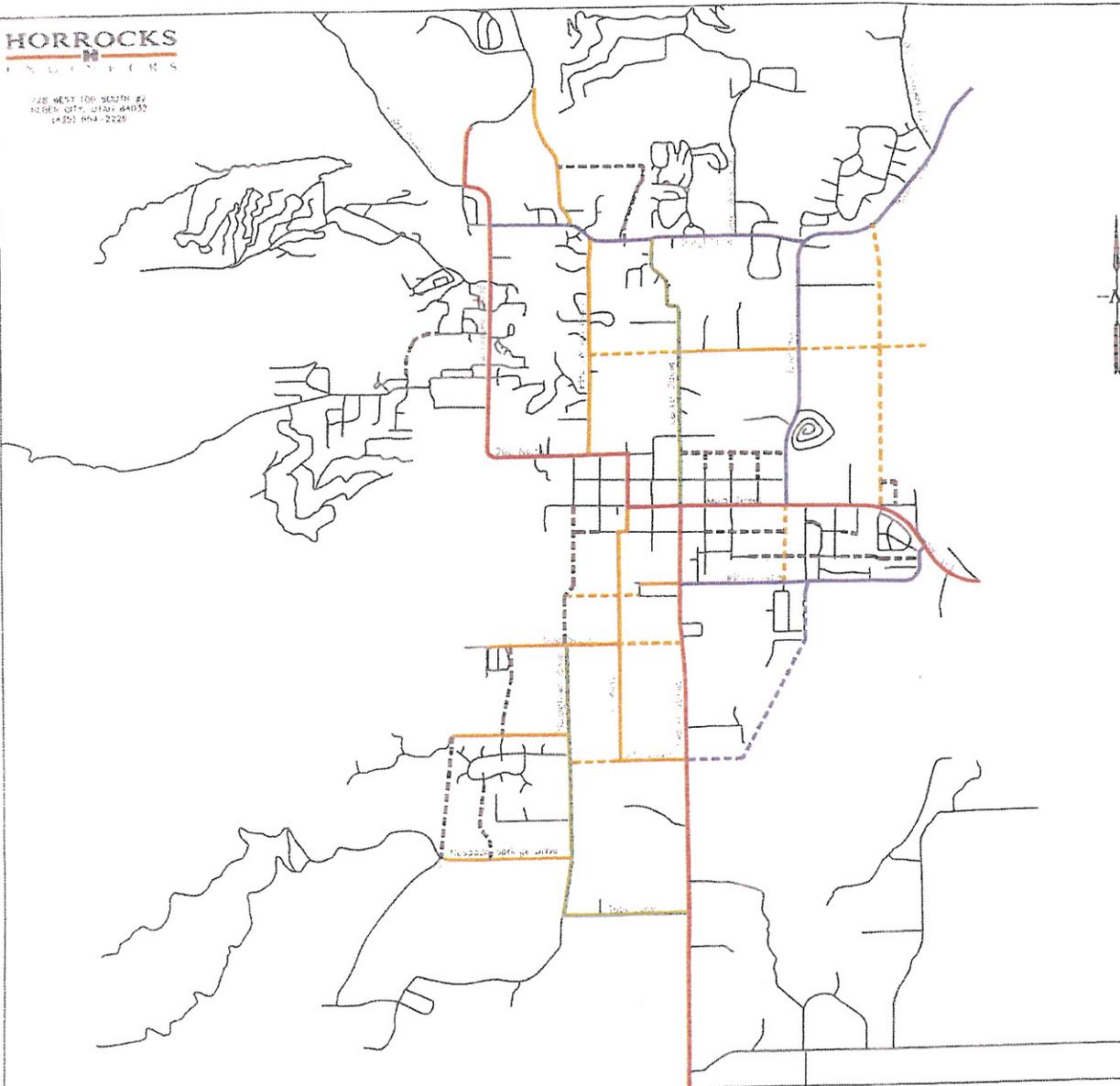
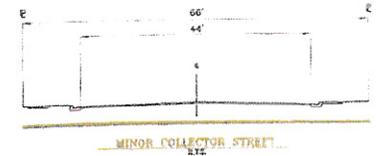
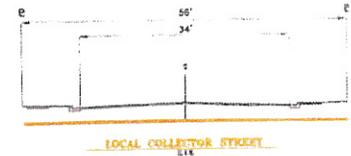


FIGURE 2-1
MIDWAY CITY
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- NEW OR UPGRADED COLLECTOR



DRAWING DATE: 01/16/12

Exhibit A

Exhibit B

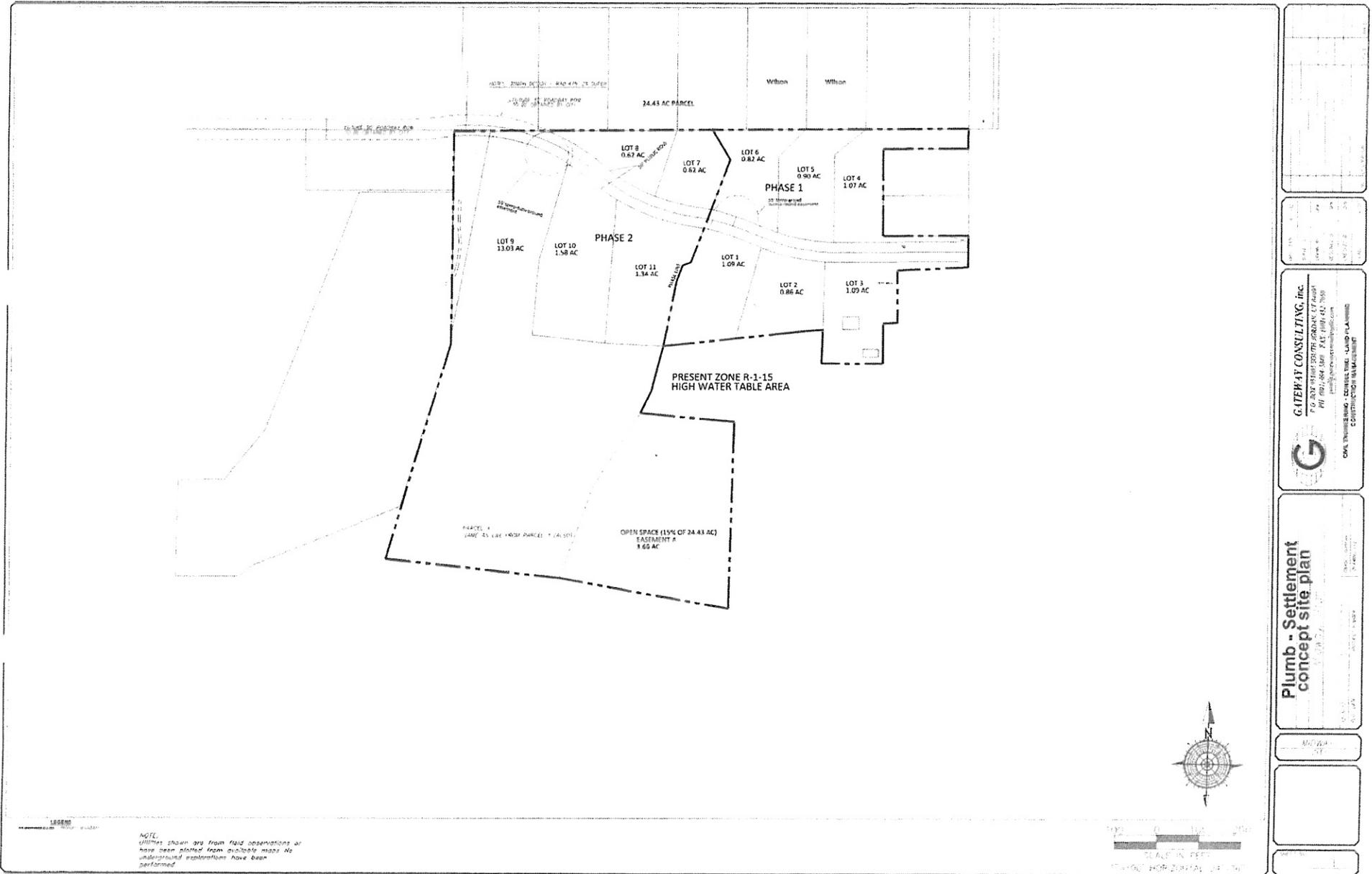
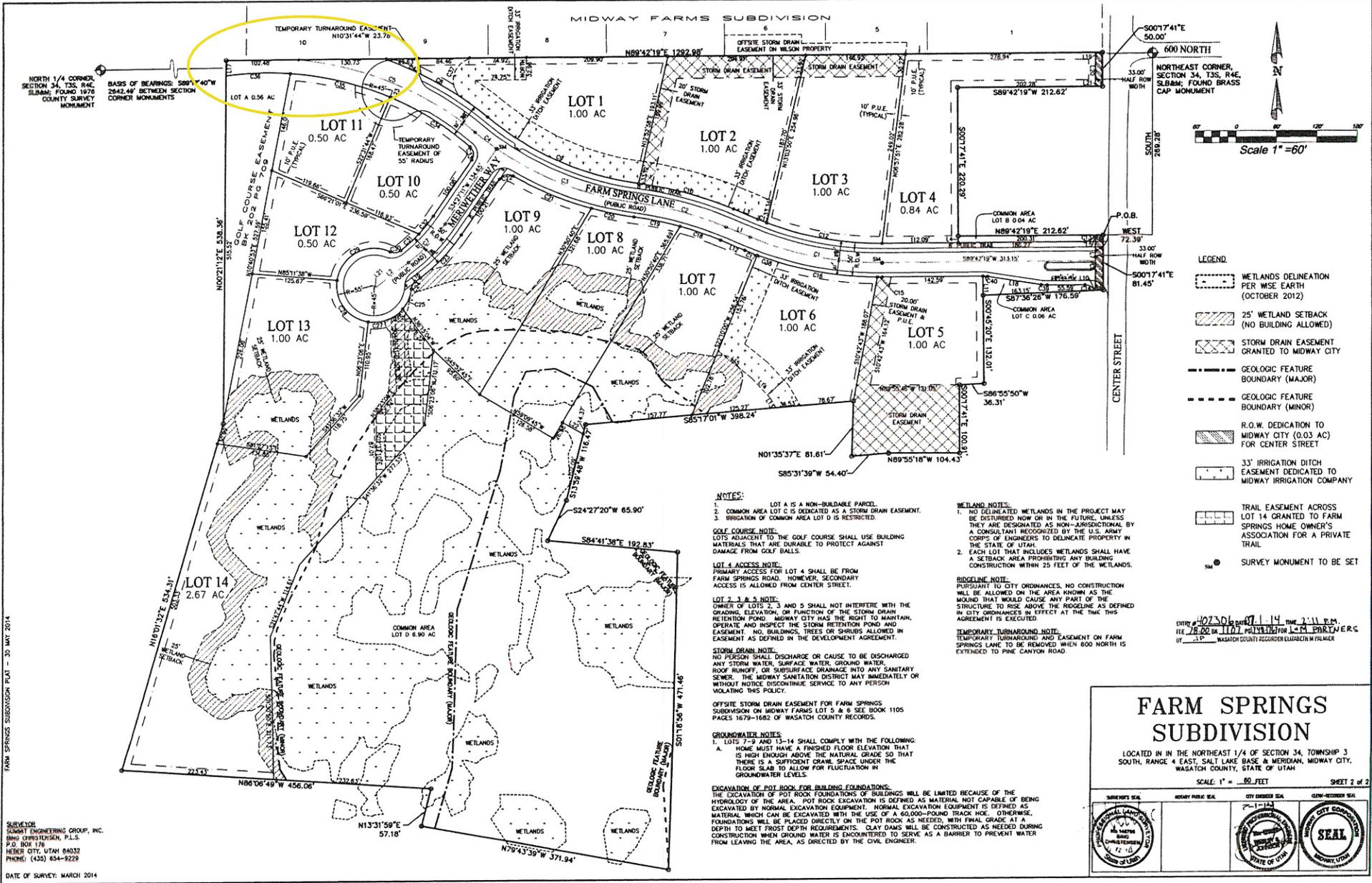
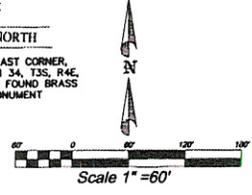


Exhibit 5



NORTH 1/4 CORNER SECTION 34, T35, R4E, S18.81M; FOUND 1975 COUNTY SURVEY MONUMENT
 BASIS OF BEARINGS: S88°17'40"W 2842.44' BETWEEN SECTION CORNER MONUMENTS



- LEGEND**
- WETLANDS DELINEATION PER WISE EARTH (OCTOBER 2012)
 - 25' WETLAND SETBACK (NO BUILDING ALLOWED)
 - STORM DRAIN EASEMENT GRANTED TO MIDWAY CITY
 - GEOLOGIC FEATURE BOUNDARY (MAJOR)
 - GEOLOGIC FEATURE BOUNDARY (MINOR)
 - R.O.W. DEDICATION TO MIDWAY CITY (0.03 AC) FOR CENTER STREET
 - 33' IRRIGATION DITCH EASEMENT DEDICATED TO MIDWAY IRRIGATION COMPANY
 - TRAIL EASEMENT ACROSS LOT 14 GRANTED TO FARM SPRINGS HOME OWNER'S ASSOCIATION FOR A PRIVATE TRAIL
 - SURVEY MONUMENT TO BE SET

- NOTES:**
- LOT A IS A NON-BUILDABLE PARCEL.
 - COMMON AREA LOT C IS DEDICATED AS A STORM DRAIN EASEMENT. IRRIGATION OF COMMON AREA LOT D IS RESTRICTED.
- GOLF COURSE NOTE:**
 LOTS ADJACENT TO THE GOLF COURSE SHALL USE BUILDING MATERIALS THAT ARE DURABLE TO PROTECT AGAINST DAMAGE FROM GOLF BALLS.
- LOT 4 ACCESS NOTE:**
 PRIMARY ACCESS FOR LOT 4 SHALL BE FROM FARM SPRINGS ROAD. HOWEVER, SECONDARY ACCESS IS ALLOWED FROM CENTER STREET.
- LOT 2, 3 & 5 NOTE:**
 OWNERS OF LOTS 2, 3 AND 5 SHALL NOT INTERFERE WITH THE GRADING, ELEVATION, OR FUNCTION OF THE STORM DRAIN RETENTION POND. MIDWAY CITY HAS THE RIGHT TO MAINTAIN, OPERATE AND INSPECT THE STORM RETENTION POND AND EASEMENT AND BUILDINGS, TREES OR SHRUBS ALLOWED IN EASEMENT AS DEFINED IN THE DEVELOPMENT AGREEMENT.
- STORM DRAIN NOTE:**
 NO PERSON SHALL DISCHARGE OR CAUSE TO BE DISCHARGED ANY STORM WATER, SURFACE WATER, GROUND WATER, ROOF RUNOFF, OR SUBSURFACE DRAINAGE INTO ANY SANITARY SEWER. THE MIDWAY SANITATION DISTRICT MAY IMMEDIATELY OR WITHOUT NOTICE DISCONTINUE SERVICE TO ANY PERSON VIOLATING THIS POLICY.
- OFFSITE STORM DRAIN EASEMENT FOR FARM SPRINGS SUBDIVISION ON MIDWAY FARMS LOT 5 & 8 SEE BOOK 1105 PAGES 1679-1682 OF WASHINGTON COUNTY RECORDS.**

- WETLAND NOTES:**
- NO DELINEATED WETLANDS IN THE PROJECT MAY BE DISTURBED NOW OR IN THE FUTURE, UNLESS THEY ARE DESIGNATED AS NON-JURISDICTIONAL BY A CONSULTANT RECOGNIZED BY THE U.S. ARMY CORPS OF ENGINEERS TO DELINEATE PROPERTY IN THE STATE OF UTAH.
 - EACH LOT THAT INCLUDES WETLANDS SHALL HAVE A SETBACK AREA PROHIBITING ANY BUILDING CONSTRUCTION WITHIN 25 FEET OF THE WETLANDS.
- RIDGELINE NOTE:**
 PURSUANT TO CITY ORDINANCES, NO CONSTRUCTION WILL BE ALLOWED ON THE AREA KNOWN AS THE MOUND THAT WOULD CAUSE ANY PART OF THE STRUCTURE TO RISE ABOVE THE RIDGELINE AS DEFINED IN CITY ORDINANCES IN EFFECT AT THE TIME THIS AGREEMENT IS EXECUTED.
- TEMPORARY TURNAROUND NOTE:**
 TEMPORARY TURNAROUND AND EASEMENT ON FARM SPRINGS LANE TO BE REMOVED WHEN 600 NORTH IS EXTENDED TO PINE CANYON ROAD.

- GROUNDWATER NOTES:**
- LOTS 7-9 AND 11-14 SHALL COMPLY WITH THE FOLLOWING:
 - A. HOME MUST HAVE A FINISHED FLOOR ELEVATION THAT IS HIGH ENOUGH ABOVE THE NATURAL GROUND SO THAT THERE IS A SUFFICIENT CRAWL SPACE UNDER THE FLOOR SLAB TO ALLOW FOR FLUCTUATION IN GROUNDWATER LEVELS.
- EXCAVATION OF POT ROCK FOR BUILDING FOUNDATIONS:**
 THE EXCAVATION OF POT ROCK FOUNDATIONS OF BUILDINGS WILL BE LIMITED BECAUSE OF THE HYDROLOGY OF THE AREA. POT ROCK EXCAVATION IS DEFINED AS MATERIAL NOT CAPABLE OF BEING EXCAVATED BY NORMAL EXCAVATION EQUIPMENT. NORMAL EXCAVATION EQUIPMENT IS DEFINED AS MATERIAL WHICH CAN BE EXCAVATED WITH THE USE OF A 60,000-POUND TRACK HOE. OTHERWISE, FOUNDATIONS WILL BE PLACED DIRECTLY ON THE POT ROCK AS NEEDED, WITH FINAL GRADE AT A DEPTH TO MEET FROST DEPTH REQUIREMENTS. CLAY DAMS WILL BE CONSTRUCTED AS NEEDED DURING CONSTRUCTION WHEN GROUND WATER IS ENCOUNTERED TO SERVE AS A BARRIER TO PREVENT WATER FROM LEAVING THE AREA, AS DIRECTED BY THE CIVIL ENGINEER.

FARM SPRINGS SUBDIVISION

LOCATED IN THE NORTHEAST 1/4 OF SECTION 34, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN, MIDWAY CITY, WASHINGTON COUNTY, STATE OF UTAH

SCALE: 1" = 60 FEET SHEET 2 OF 2

SUBMITTER SEAL 	MIDWAY PUBLIC SEAL 	CITY ENGINEER SEAL 	CLERK-RECORDED SEAL
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FARM SPRINGS SUBDIVISION PLAT - 30 MAY 2014

SURVEYOR
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DATE OF SURVEY: MARCH 2014