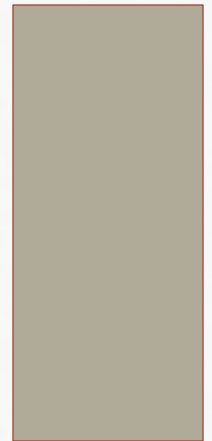


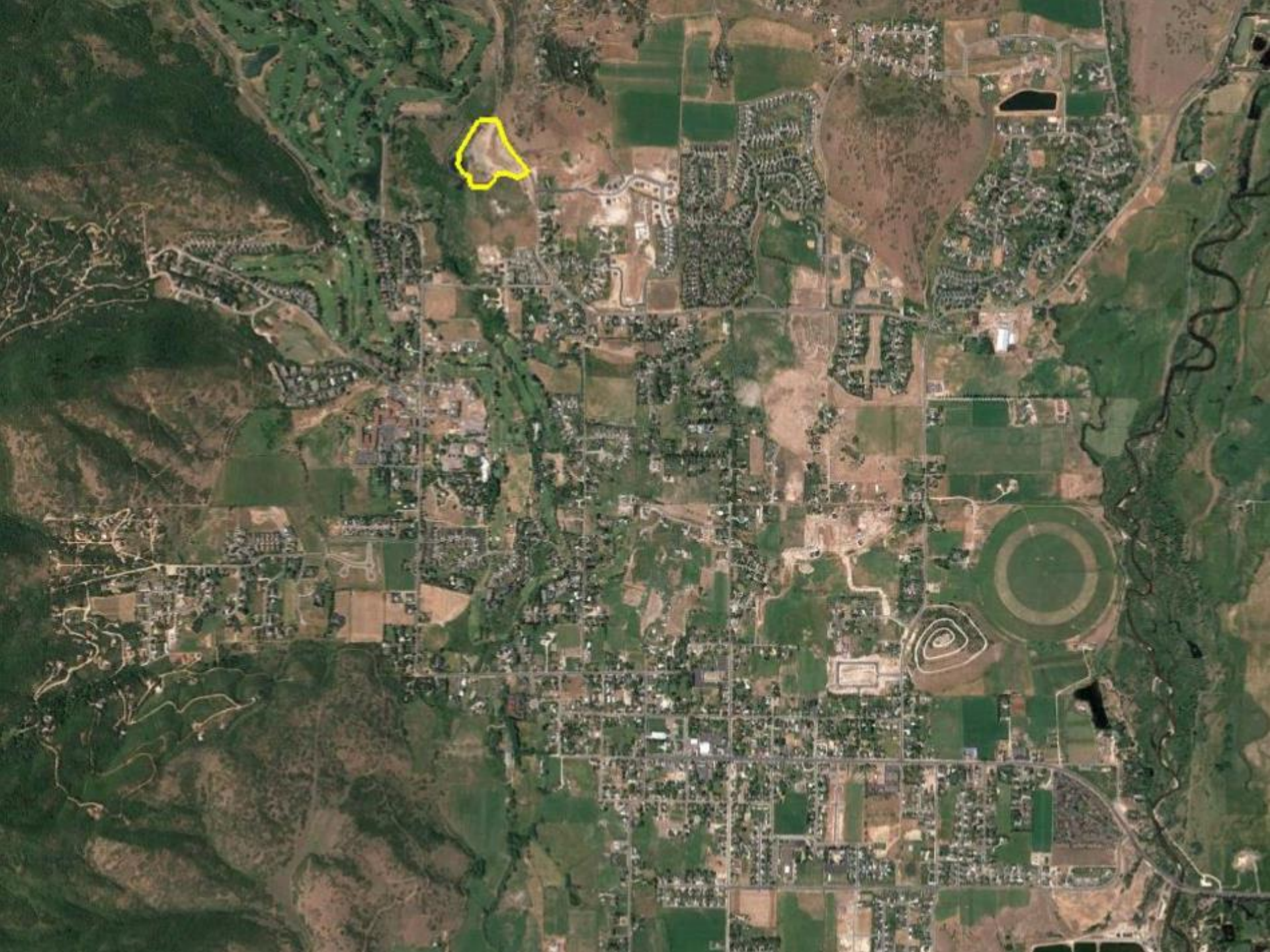
HOT SPRINGS ANNEXATION

ORDINANCE 2021-11

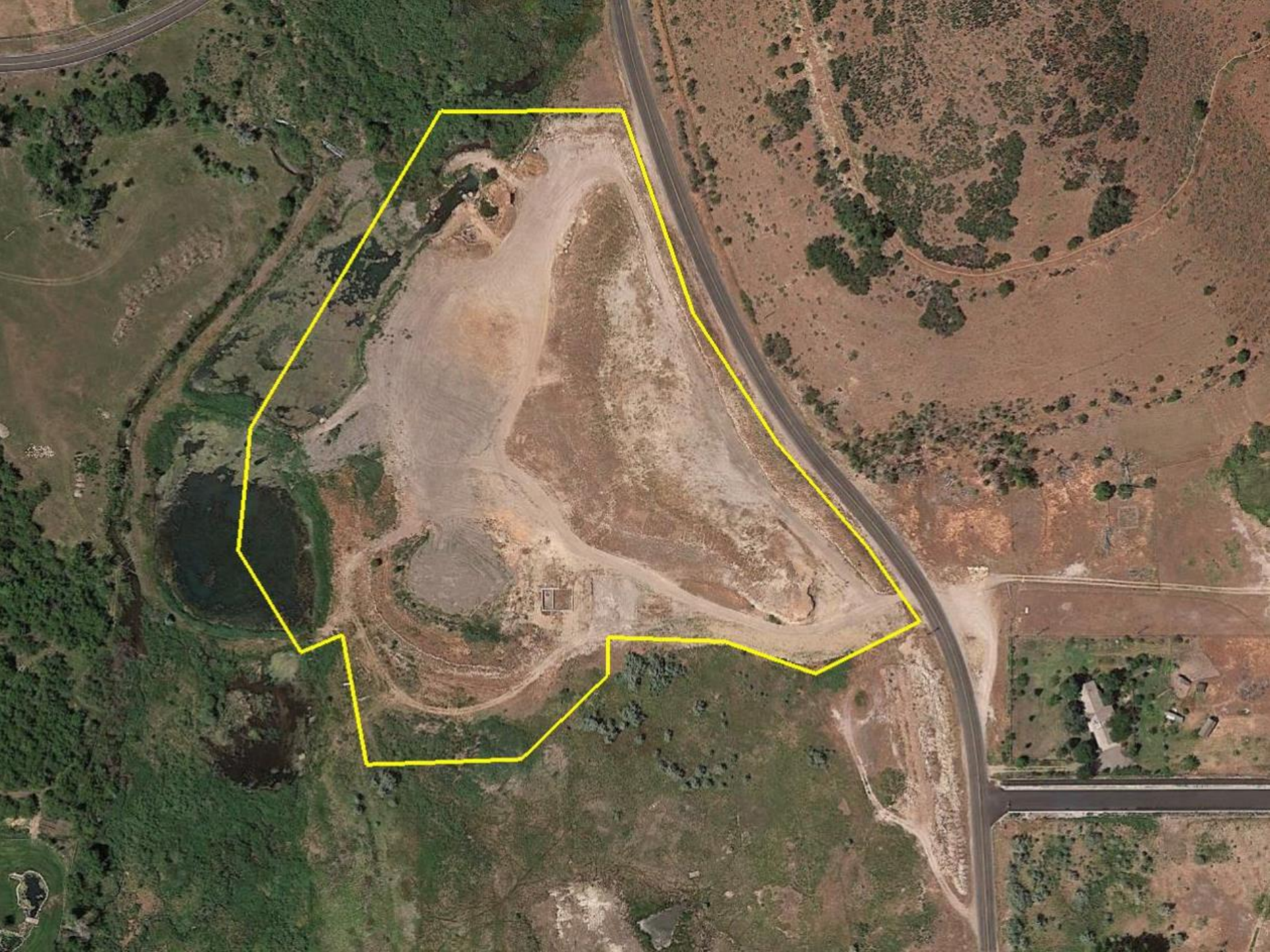


LAND USE SUMMARY

- 12.26 acres
- RA-1 Wasatch County Zoning
- Possible City Zoning of RZ or RA-1-43
 - Petitioner has requested RZ

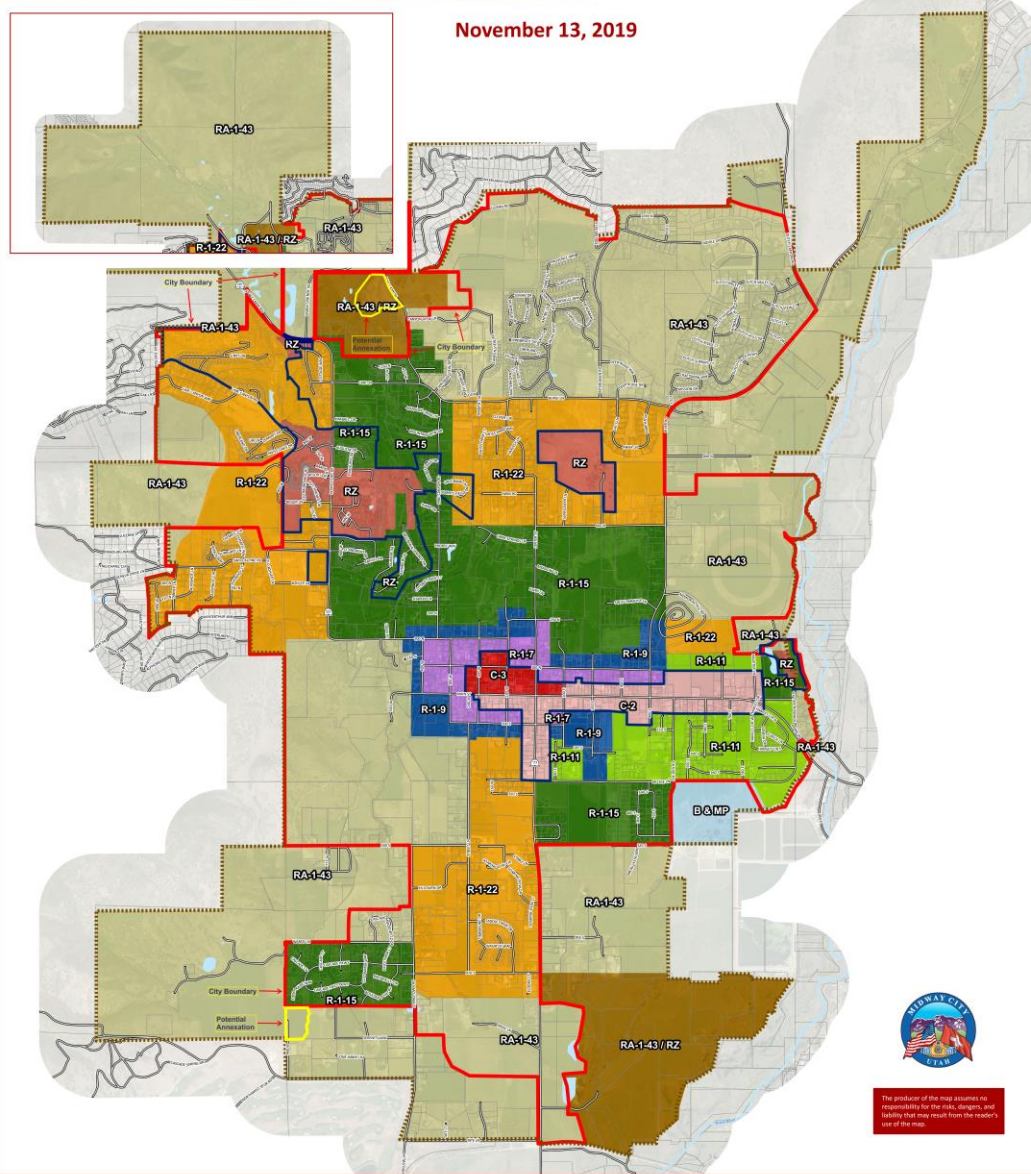






MIDWAY CITY - Land Use

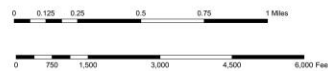
November 13, 2019



The producer of the map assumes no responsibility for the risks, dangers and liability that may result from the reader's use of the map.

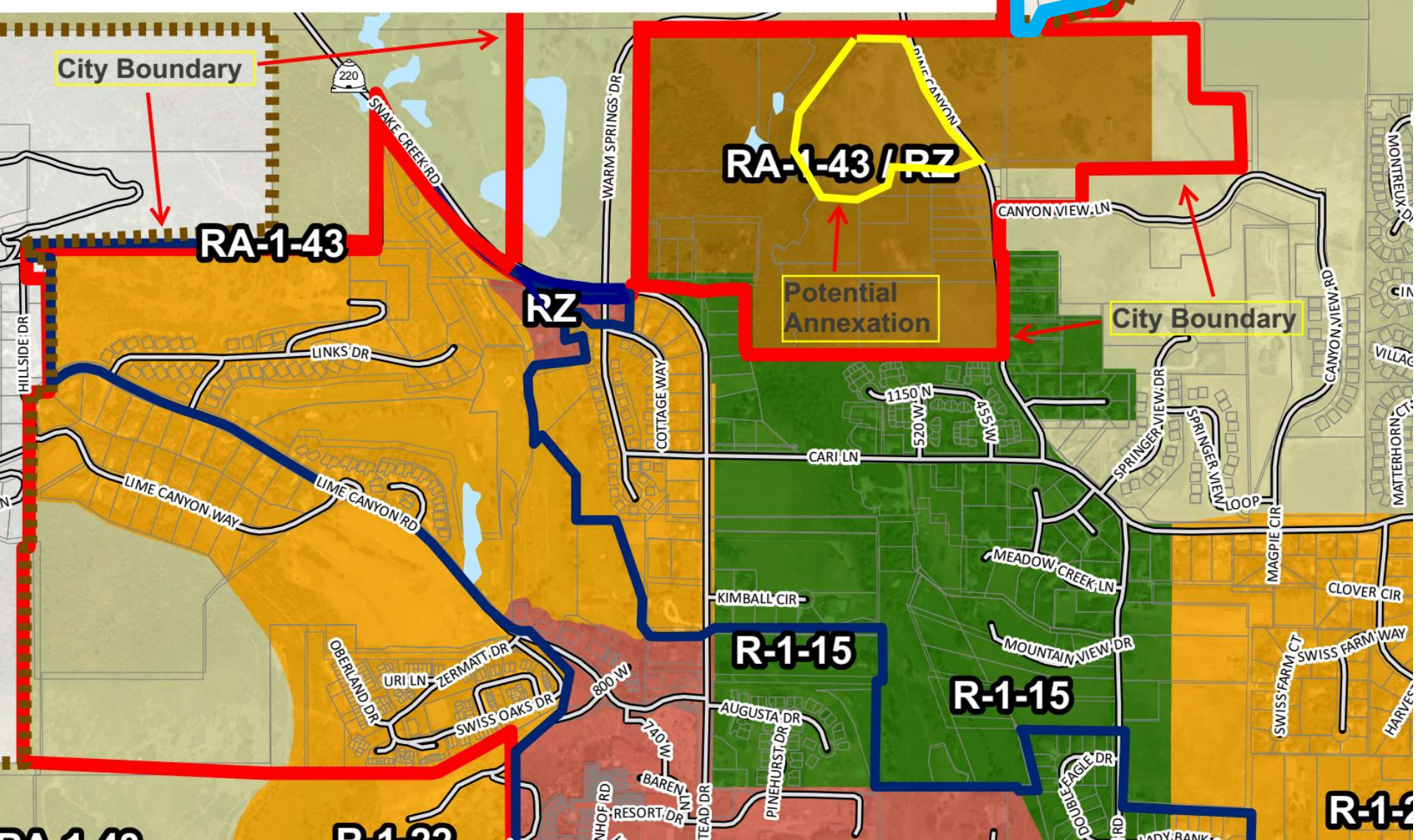
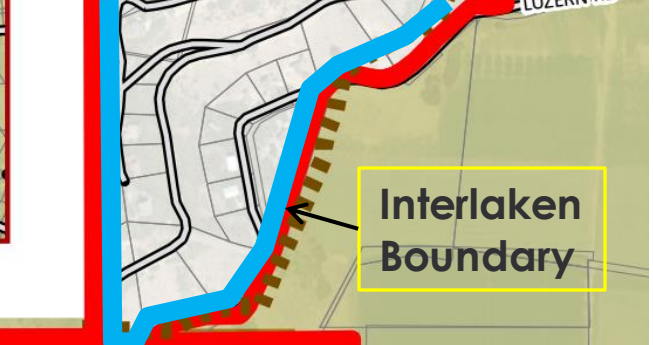
Legend

Midway Growth Boundary	Zoning	B & MP	R-1-7
TRCD	C-2	R-1-9	
Midway City Boundary	C-3	RA-1-43	
Rivers	R-1-11	RZ	
Roads	R-1-15	RA-1-43 / RZ	
Water Body	R-1-22		



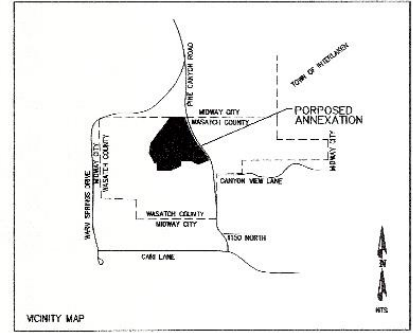
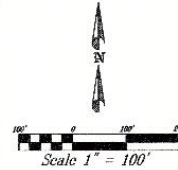
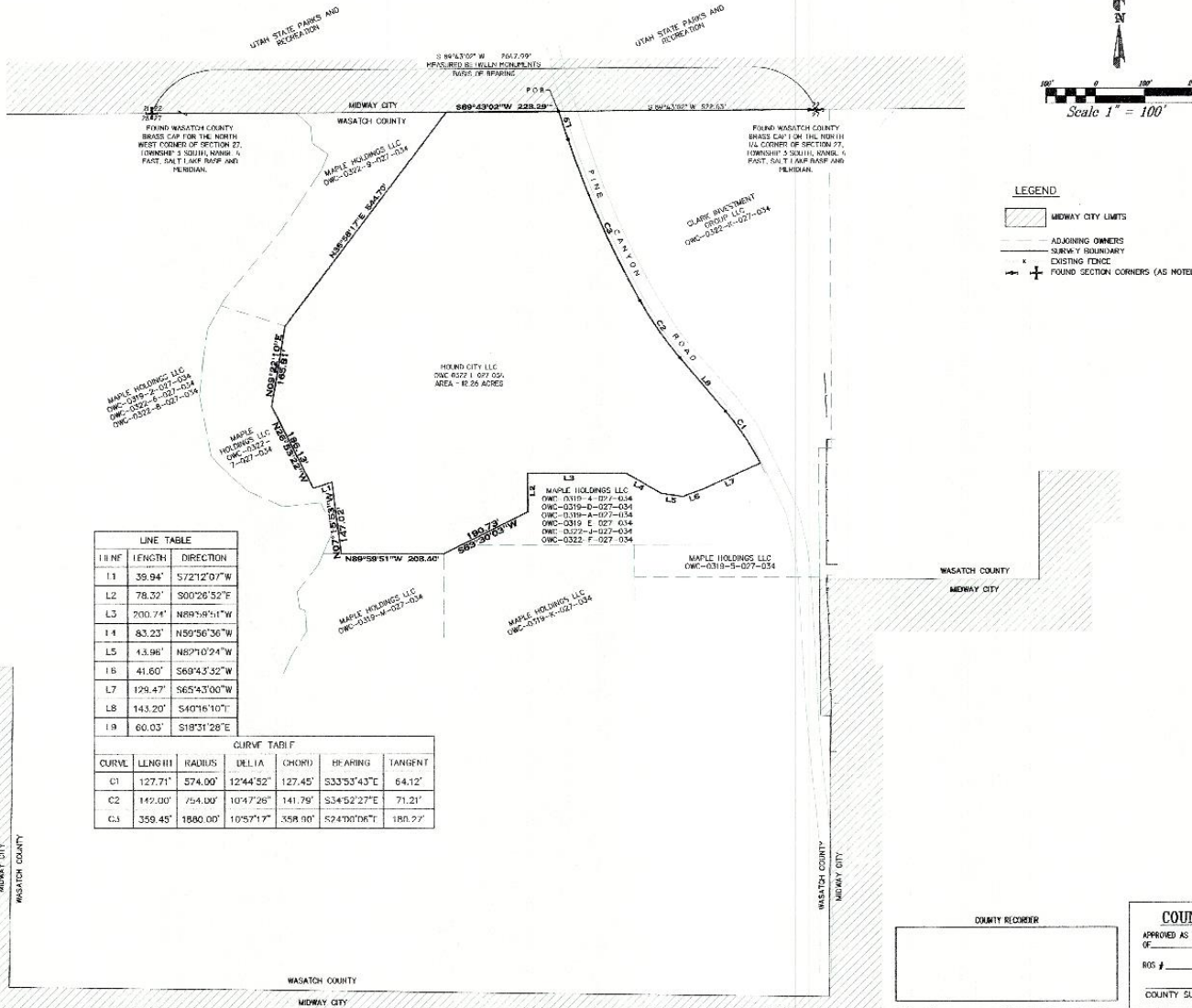
Map Produced For Midway City, GSP (GIS) Corporation
 Municipal Professional Geographers
 Map Production Date: Nov 13, 2019
 Map Projection: UTM North
 Data Source: Midway City & Esri/ArcGIS Online





HOT SPRINGS ANNEXATION

LOCATED IN SECTION 27 TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN.



LEGEND

- MIDWAY CITY LIMITS
- - - ADDING OWNERS
- SURVEY BOUNDARY
- EXISTING FIDUC
- ✚ FOUND SECTION CORNERS (AS NOTED ON DRAWING)

LINE	LENGTH	DIRECTION
L1	39.94'	S72°12'07"W
L2	78.32'	S00°26'32"E
L3	700.74'	N89°49'11"W
L4	83.23'	N59°56'36"W
L5	43.98'	N87°10'24"W
L6	41.60'	S69°43'32"W
L7	129.47'	S65°43'00"W
L8	143.20'	S40°16'10"E
L9	60.03'	S18°31'28"E

CURVE	LENGTH	RADIUS	DELTA	CHORD	BEARING	TANGENT
C1	127.71'	574.00'	12°44'52"	127.45'	S33°53'43"E	64.12'
C2	142.00'	754.00'	10°47'26"	141.79'	S34°52'27"E	71.21'
C3	358.45'	1800.00'	10°57'17"	358.10'	S24°10'06"E	180.27'

BASIS OF BEARING
 THE BASIS OF BEARING IS SOUTH 89°43'07" WEST AS MEASURED FROM THE TRUE MERIDIAN OF SECTION 27 AND THE LOCAL WASATCH COUNTY BRASS CAP MARKING THE NORTHEAST CORNER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

BOUNDARY DESCRIPTION
 BEGINNING AT A POINT LOCATED SOUTH 89°43'07" WEST ALONG THE SECTION LINE 522.65 FEET FROM THE FOUND WASATCH COUNTY BRASS CAP MARKING THE NORTH WEST CORNER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN;
 THENCE SOUTH 89°43'07" WEST 100.00 FEET; THENCE ALONG THE ARC OF A 1800.00 FEET RADIUS CURVE TO THE LEFT 330.45 FEET CHORD BEARS SOUTH 24°58'06" WEST 358.45 FEET; THENCE ALONG THE ARC OF A 754.00 FOOT RADIUS CURVE TO THE LEFT 142.00 FEET CHORD BEARS SOUTH 34°52'27" WEST 141.79 FEET; THENCE SOUTH 49°16'07" EAST 43.98 FEET; THENCE ALONG THE ARC OF A 546.00 FOOT RADIUS CURVE TO THE RIGHT 127.71 FEET CHORD BEARS SOUTH 33°53'43" EAST 64.12 FEET; THENCE SOUTH 45°43'00" WEST 109.47 FEET; THENCE SOUTH 60°43'57" WEST 41.60 FEET; THENCE NORTH 87°10'24" WEST 43.98 FEET; THENCE NORTH 59°56'36" WEST 83.23 FEET; THENCE SOUTH 00°26'32" EAST 78.32 FEET; THENCE NORTH 89°49'11" WEST 700.74 FEET; THENCE SOUTH 00°26'32" WEST 39.94 FEET; THENCE SOUTH 69°43'32" WEST 41.60 FEET; THENCE SOUTH 65°43'00" WEST 129.47 FEET; THENCE NORTH 40°16'10" WEST 143.20 FEET; THENCE NORTH 18°31'28" WEST 60.03 FEET TO THE POINT OF BEGINNING.
 AREA = 12.28 ACRES

SURVEYOR'S CERTIFICATE
 I, HOY L. FARROW, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 8836 AS REGISTERED BY THE LAWS OF THE STATE OF UTAH, AND THAT THIS IS A TRUE AND ACCURATE MAP OF THE TRACT OF LAND TO BE ANNEXED TO MIDWAY CITY, WASATCH COUNTY, UTAH.

ACCEPTANCE BY LEGISLATIVE BODY
 THIS IS TO CERTIFY THAT THE LEGISLATIVE BODY OF MIDWAY CITY COUNCIL HAS PASSED A RESOLUTION OF ITS INTENT TO ANNEX THE TRACT OF LAND SHOWN HEREIN AND HAVE THEREAFTER ADOPTED AN ORDINANCE SIGNED BY THE CITY ENGINEER OF MIDWAY CITY, UTAH, AND THAT A COPY OF THE ORDINANCE HAS BEEN FORWARDED TO THE LEGISLATIVE BODY OF THE STATE OF UTAH FOR CONSIDERATION AND APPROVAL. THE ANNEXATION OF THE TRACT OF LAND SHOWN ON SAID MAP IS ACCURATE AND CORRECT AS SHOWN ON SAID MAP AND IS TO BE ANNEXED TO MIDWAY CITY, UTAH.

DATE: _____ DAY OF _____ 20____

RECORDED BY: _____ DATE: _____

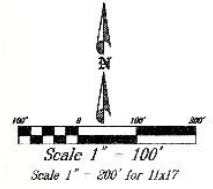
CITY ATTORNEY: _____ DATE: _____

CITY ENGINEER: _____ DATE: _____






CITY RECORDER: _____ DATE: _____

COUNTY SURVEYOR
 APPROVED AS TO FORM ON THIS _____ DAY OF _____, 20____
 NOS # _____
 COUNTY SURVEYOR

HOT SPRINGS ANNEXATION
 DATE: 18 NOVEMBER 2020
 DRAWING NO: 01 ANNEX 1517
 SHEET NO: 1 OF 1



LEGEND

-  WETLANDS PER U.S. FISH AND WILDLIFE NATIONAL WETLANDS INVENTORY
-  EXISTING PONDS AND HOT POOLS
-  100 YEAR FLOOD AREA (ZONE AE)
-  FLOODWAY
(THE FLOODWAY IS THE CHANNEL OF A STREAM PLUS AN ADJACENT FLOOD PLAIN AREAS THAT MUST BE KEPT FREE OF ENCROACHMENT SO THAT THE 1% ANNUAL CHANCE FLOOD CAN BE CARRIED WITHOUT SUBSTANTIAL INCREASES IN FLOOD HEIGHTS.)
-  25%+ SLOPE

MIDWAY CITY
WASATCH COUNTY

WASATCH COUNTY
MIDWAY CITY

WASATCH COUNTY
MIDWAY CITY

MIDWAY INT'L LLC
OWC-0322-L-027-034
AREA = 12.200
ACRES

THIS DOCUMENT IS RELEASED FOR REVIEW ONLY. IT IS NOT INTENDED FOR CONSTRUCTION UNLESS SHOWN AND SCALED.
PAUL G. BERG P.E.
SERIAL NO. 282026
DATE: 19 NOV 2020

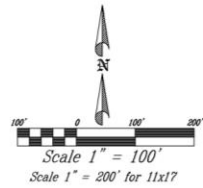
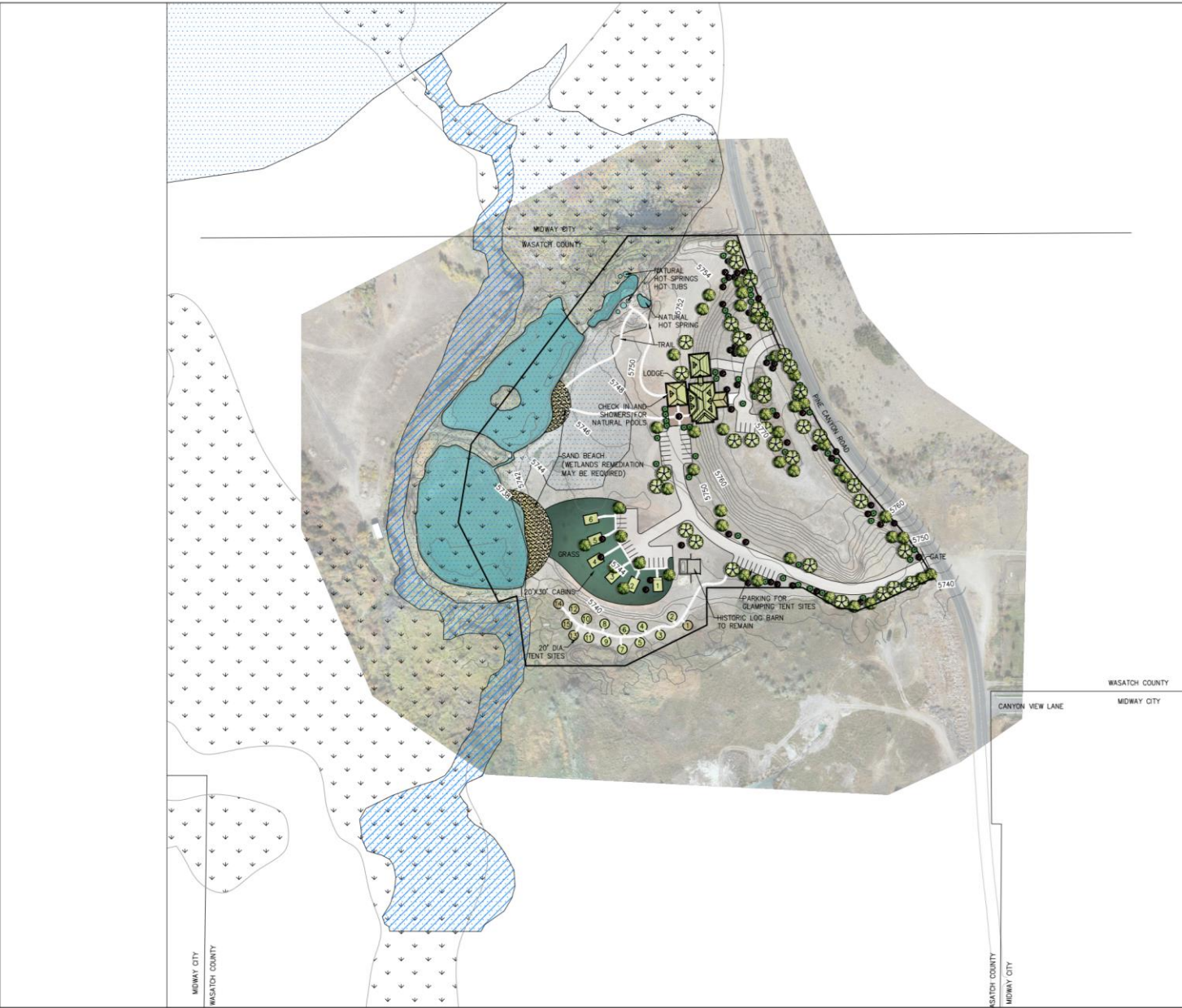
WHITAKER
HOT SPRINGS ANNEXATION

SENSITIVE LANDS MAP



BERG ENGINEERING
RESIDENTIAL GROUP, P.C.
380 E. NORTH ST. SUITE 200A
MIDWAY, UT 84049
PH: (435) 667-9749

DESIGN BY: PGR
DRAWN BY: PGR
DATE: 19 NOV 2020
SHEET 1



- LEGEND**
- WETLANDS PER U.S. FISH AND WILDLIFE NATIONAL WETLANDS INVENTORY
 - EXISTING PONDS AND HOT POOLS
 - 100 YEAR FLOOD AREA (ZONE AE)
(THE FLOODWAY IS THE CHANNEL OF A STREAM PLUS AN ADJACENT FLOOD PLAIN AREAS THAT MUST BE KEPT FREE OF ENCROACHMENT SO THAT THE 1% ANNUAL CHANCE FLOOD CAN BE CARRIED WITHOUT SUBSTANTIAL INCREASES IN FLOOD HEIGHTS.)
 - FLOODWAY

NOTES

ZONING: RESORT ZONE

RESORT USES: LODGE/LARGE RENTAL HOME
SMALL RENTAL CABINS
MINERAL POOLS

NUMBER OF BEDROOMS: LODGE 5
CABINS 6
11

LAND USES:

BUILDINGS	0.31 ACRES
DRIVEWAYS	0.88 ACRES
OPEN SPACE	11.07 ACRES
TOTAL	12.26 ACRES

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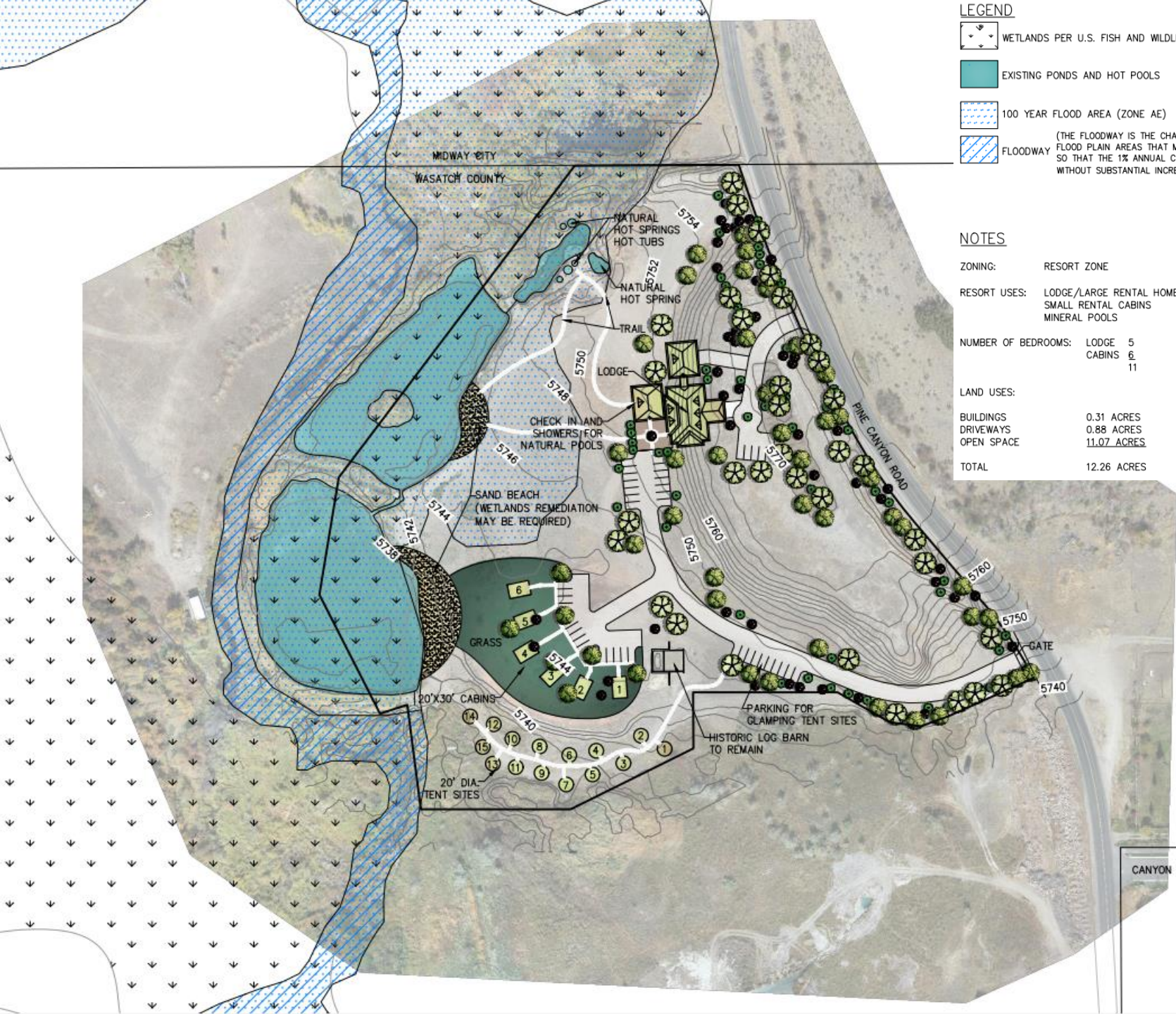
PAUL B. BERG P.E.
SERIAL NO. 295595
DATE: 19 NOV 2020

WHITAKER
HOT SPRINGS ANNEXATION





CONCEPT PLAN

RESOURCE GROUP P.C.
380 E Main St. Suite 204,
Midway, UT 84049
ph. (435) 657-9749

DESIGN BY: PEBB DATE: 16 FEB 2021 SHEET
DRAWN BY: DAW REV: 1



LEGEND

-  WETLANDS PER U.S. FISH AND WILDLIFE NATIONAL WETLANDS INVENTORY
-  EXISTING PONDS AND HOT POOLS
-  100 YEAR FLOOD AREA (ZONE AE)
-  FLOODWAY
(THE FLOODWAY IS THE CHANNEL OF A STREAM PLUS AN ADJACENT FLOOD PLAIN AREAS THAT MUST BE KEPT FREE OF ENCROACHMENT SO THAT THE 1% ANNUAL CHANCE FLOOD CAN BE CARRIED WITHOUT SUBSTANTIAL INCREASES IN FLOOD HEIGHTS.)

NOTES

ZONING:	RESORT ZONE
RESORT USES:	LODGE/LARGE RENTAL HOME SMALL RENTAL CABINS MINERAL POOLS
NUMBER OF BEDROOMS:	LODGE 5 CABINS 6 11
LAND USES:	
BUILDINGS	0.31 ACRES
DRIVEWAYS	0.88 ACRES
OPEN SPACE	11.07 ACRES
TOTAL	12.26 ACRES

CANYON VIEW LANE

UTAH STATE CODE

Utah State code allows for the annexation of a portion of an unincorporated island as outlined below in 10-2-418:

(3) Notwithstanding Subsection 10-2-402(1)(b)(iii), a municipality may annex a portion of an unincorporated island or unincorporated peninsula under this section, leaving unincorporated the remainder of the unincorporated island or unincorporated peninsula, if:

(a) in adopting the resolution under Subsection (5)(a) the municipal legislative body determines that not annexing the entire unincorporated island or unincorporated peninsula is in the municipality's best interest; and

(b) for an annexation of one or more unincorporated islands under Subsection (2)(b), the entire island of unincorporated area, of which a portion is being annexed, complies with the requirement of Subsection (2)(b)(ii) relating to the number of residents

UTAH STATE CODE

Subsection (2)(b)(ii) states the following:

(ii)(A) the area to be annexed consists of one or more unincorporated islands within or unincorporated peninsulas contiguous to the municipality, each of which has fewer than 800 residents; and: Fewer than 800 people are within the area to be annexed.

(B) the municipality has provided one or more municipal-type services to the area for at least one year;: Beginning in May 2020, Midway City assumed road maintenance and snow plowing responsibilities for the section of Pine Canyon Road that the applicants property fronts.

ITEMS OF CONSIDERATION

- *The City gains control over zoning once an area is annexed. This helps the city assure that uses on the property will be in harmony with the General Plan. If the City does not annex a parcel, then the owners may develop in the County using the County's land use code.*
- *The most recent applicants for annexation to Midway have contributed to the parks fund. The average cost per acre annexed into Midway has paid \$589.11. Therefore, if following the model of previous annexations, the required parks annexation donation fee is \$7,222 that would be paid before the recording of the annexation plat.*
- *The City's Master Trail Plan has a detached 8' paved trail that will run along the west side of Pina Canyon Road. Staff is recommending that the trail is not constructed at this time because there is not a trail connection to the north or south of the development. Staff recommends that that a 50' public trail easement is dedicated to the City when the property is annexed and the funds to build the trail are paid to the City and those funds are added to the trails general fund. Once the City decides it is appropriate to build the trail, most likely because trails are built to the north or south of the annexation, then the City will use the funds to build the trail on the public trail easement.*

PLANNING COMMISSION RECOMMENDATION:

Motion: Commissioner Garland: I make a motion that we recommend approval of the annexation of the Hot Springs property and is 12.26 acres. The property is in the Midway Growth Boundary and located west of Pine Canyon Road and north of Cari Lane. The proposed zoning for the property is RZ (Resort Zone). We accept the findings and agree that this should be zoned RZ.

Seconded: Commissioner Ream

Chairman Bouwhuis: Any discussion on the motion?

Chairman Bouwhuis: All in favor.

Ayes: Commissioners: Bouwhuis, Wardle, Garland, Ream, Cliften and Simons

Nays: None

Abstained: None

Motion: Passed

POSSIBLE FINDINGS

- The City will gain control over land use and zoning if the area is annexed.
- The proposal is a legislative action.
- The proposal will increase traffic to the area.
- The proposed commercial and nightly rental uses would have a positive impact on the city's tax base.
- The intensity of uses is relatively low compared to what could happen on the property. This will help promote the vision of the general plan to preserve open space and a rural atmosphere.
- Utah State Code allows for the annexation of a portion of an unincorporated island if certain criteria are met.
- The trail planned along Pine Canyon Road will help complete the trails master plan that will benefit the community.

PROPOSED CONDITIONS

1. A 50' public trail easement is dedicated to the City when the property is annexed and the funds to build the trail are paid to the City and those funds are added to the trails general fund.
2. The applicant pays a parks annexation fee of \$7,222.