



PLANNING COMMISSION MEETING STAFF REPORT

DATE OF MEETING: July 9, 2019

NAME OF PROJECT: Raynor Subdivision

NAME OF APPLICANT: Berg Engineering

AGENDA ITEM: Preliminary/Final Approval

LOCATION OF ITEM: 565 North River Road

ZONING DESIGNATION: R-1-15

ITEM: 3

Berg Engineering, agent for Eric Raynor, is requesting preliminary/final approval a one lot subdivision 0.99 acres to be known as Raynor Subdivision. The property is located at 565 North River Road and is in the R-1-15 zone.

BACKGROUND:

This request is for preliminary/final approval of a small-scale subdivision on 0.99 of an acre that will contain one lot. The lot proposed in the subdivision will obtain frontage along River Road. The property is in the R-1-15 zoning district and the lot does comply with the minimum requirements of frontage, width and acreage for a lot in this zone.

The property does not appear to have been in agriculture production though the property has been grazed in the past. There are wetlands on the property that will be protected and shown on the plat. There is also a ditch that runs along the north boundary of the property which will be noted on the plat with an irrigation easement.

It is unknown if the property is a lot of record or not. Staff has informed several parties interested in the property that the property's status is unknown, and staff has also informed those parties about the process for discovering if the property is a lot of record. If the property is a lot of record or not the approval and recording of a plat would allow a dwelling to be constructed on the property.

LAND USE SUMMARY:

- 0.99-acre parcel
- R-1-15 zoning
- Proposal contains one lot
- Frontage River Road
- The lot will connect to the Midway City's culinary water line, Midway Sanitation District's sewer line, and Midway Irrigation Company's secondary water line

ANALYSIS:

Sensitive lands – There are wetlands present on the property. It appears that at least half of the lot is covered by wetlands which are protected as sensitive lands in the City's land use code. The code requires that the wetlands are shown on the plat and a 25' buffer is also shown that limits disturbance around wetland areas. The code states in section 16.14.9 (E):

Disturbance of Wetlands. No activity will be permitted which will disturb, fill, dredge, clear, destroy or alter any area, including water, soils and vegetation, within wetlands and their setbacks as set forth in this Section, except where approved in writing by the City, the U.S. Army Corp of Engineers and/or the U.S. Environmental Protection Agency.

The City has not received any documentation from the Army Corps of Engineers that states they have approved the delineation.

Water Connection – The future dwelling will be connected to the City's water line located along River Road.

Sewer Connection – The future dwelling will connect to Midway Sanitation District's sewer line under River Road.

Secondary Water Connection – The lot will connect to Midway Irrigation Company’s secondary water line which services property in the area.

Setbacks – A 50’ setback is required for any structures built in the proposal. The required setback will be noted on the plat.

River Road Bike Lane – The master trail plan shows an attached asphalt bike trail along River Road Road. Staff is proposing that the funds to build the bike lane are added to the general trails fund and that the bike lane is completed in the future as part of a larger improvement project to complete trails and bike lines as shown on the City’s master trails plan.

Further development – It appears unlikely that the property can ever be further developed even though the lot is three times larger than the minimum requirement for the R-1-15 zone. The high percentage of acreage covered by the wetlands and the limited amount of frontage are limiting factors regarding further development. In the Small Subdivision section of the code under 16.17.1: Purpose and Intent it is described that no further development should take place unless state code requires or allows the development. The code reads as follows: *Once a small subdivision has been approved by the City Council and recorded, no further subdivision of that plat will be approved by the City of Midway, except as may be required by Utah law.*

WATER BOARD RECOMMENDATION:

The Water Board has yet to review the proposal.

POSSIBLE FINDINGS:

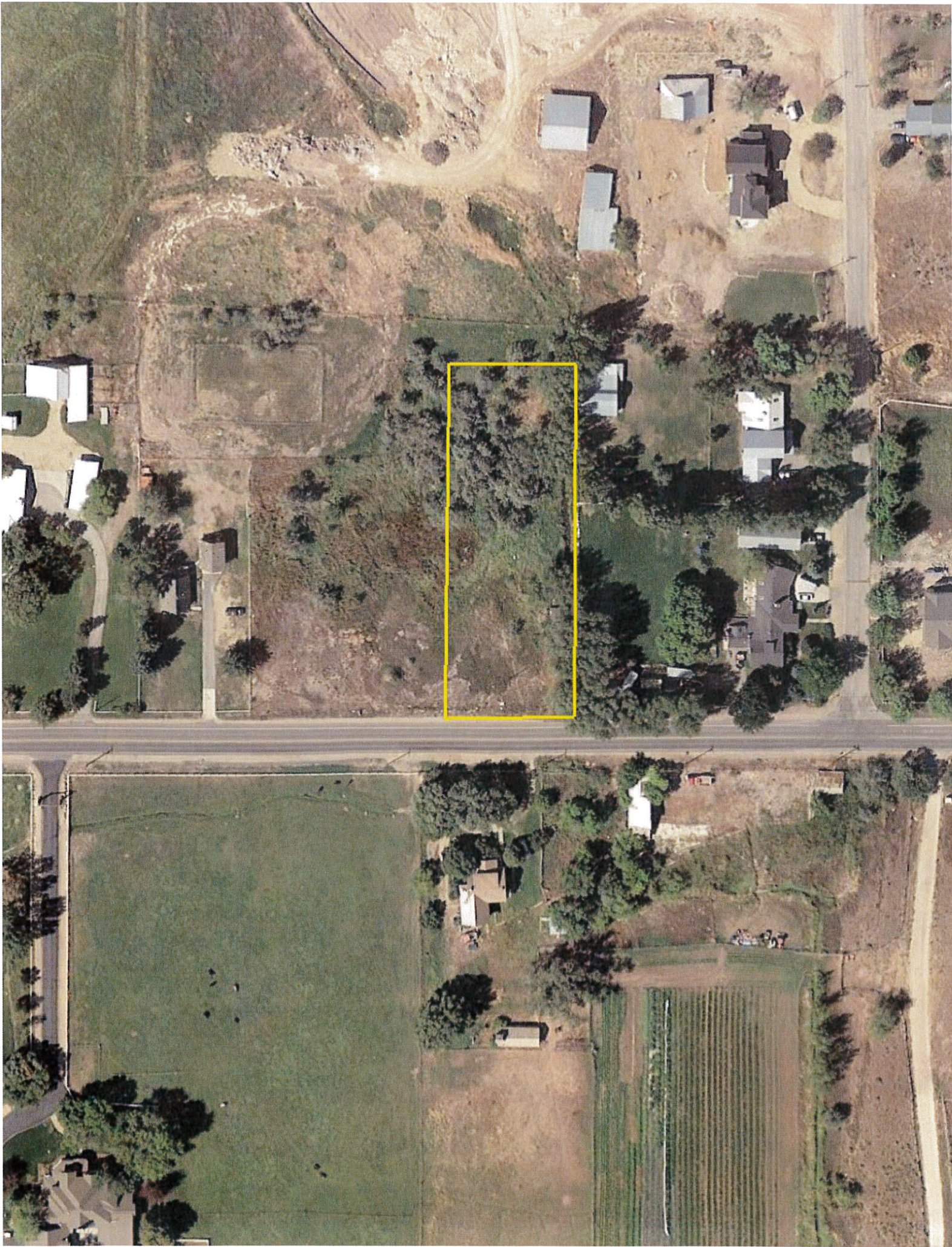
- The proposed lot meets the minimum requirements for the R1-1-15 zoning district
- The proposal does meet the intent of the General Plan for the R-1-15 zoning district
- The subdivision will contribute to the master trails plan by either building the bike lane along the frontage of the project or adding funds the general trails fund that will be used to help complete the master trails plan
- Wetlands that are present on the property are subject the sensitive lands code

ALTERNATIVE ACTIONS:

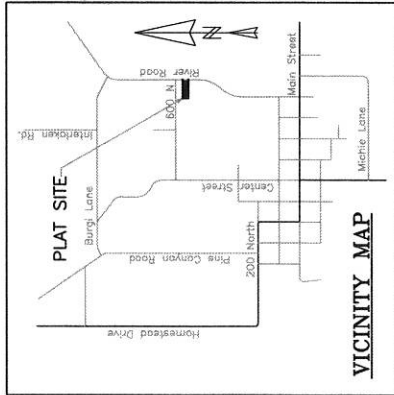
1. Recommendation of Approval (conditional). This action can be taken if the Planning Commission feels that conditions placed on the approval can resolve any outstanding issues.
 - a. Accept staff report
 - b. List accepted findings
 - c. Place condition(s)
2. Continuance. This action can be taken if the Planning Commission feels 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. Recommendation of Denial. This action can be taken if the Planning Commission feels that the request does not meet the intent of the ordinance.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for denial

RECOMMENDED CONDITIONS:

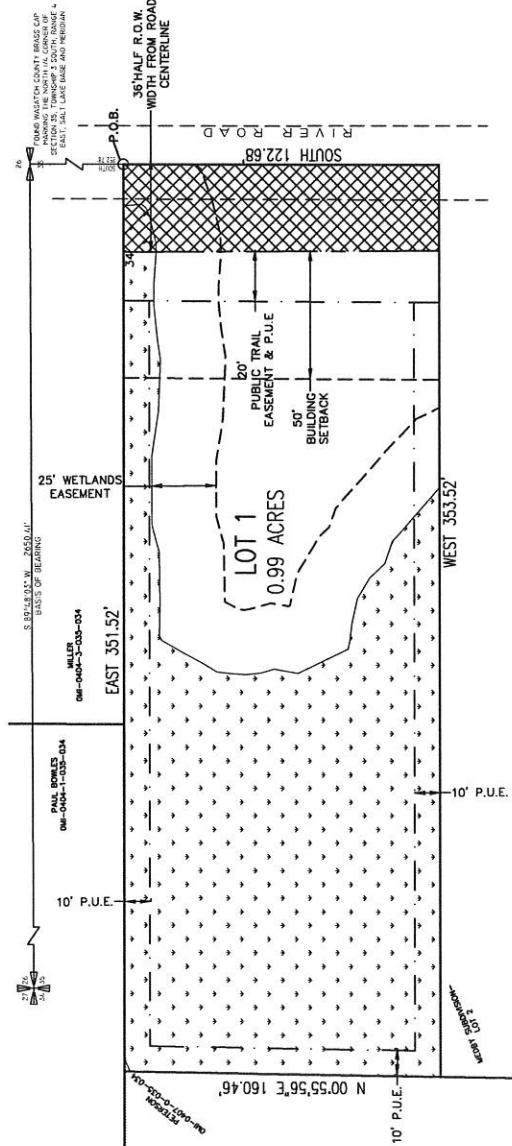
1. Funds to build the bike lane along River Road are added to the general trails fund. Those funds will be used as part of a larger improvement project that will complete the trails and bike lane as shown on the City's master trail plan.
2. A 50' setback is shown on the plat parallel River Road.
3. The submitted wetlands delineation is approved by the US Army Corps of Engineers before the preliminary approval is granted by the City Council.



RAYNOR SUBDIVISION



NW QUARTER OF SECTION 35 TOWNSHIP 3
SOUTH, RANGE 4 EAST, SALT LAKE BASE &
MERIDIAN



SURVEYOR'S CERTIFICATE

IN ACCORDANCE WITH SECTION 10-64-403 OF THE UTAH CODE, I, TROY L. TAYLOR, LICENSE NUMBER 684112, IN ACCORDANCE WITH TITLE 33, CHAPTER 22, OF THE UTAH CODE, HAVE CONDUCTED A SURVEY OF THE PROPERTY DESCRIBED IN THE PLAT IN ACCORDANCE WITH THE REQUIREMENTS OF THE UTAH CODE. I HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAT.

DATE _____ SURVEYOR (SEE SEAL BEHIND)

BOUNDARY DESCRIPTION

BEGINNING AT A POINT WHICH IS SOUTH 252.78 FEET FROM THE FOUNDATION OF THE EXISTING RIVER ROAD BRIDGE, THENCE SOUTH 89°15'04" WEST 265.04 FEET TO THE POINT OF BEGINNING, THENCE SOUTH 122.68 FEET TO THE POINT OF BEGINNING, THENCE EAST 351.52 FEET, THENCE NORTH 89°15'04" WEST 122.70 FEET, THENCE SOUTH 122.68 FEET TO THE POINT OF BEGINNING, CONTAINING 0.99 ACRES.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT OWNER(S), ERIC RAYNOR, OF THE PROPERTY DESCRIBED HEREON, HAVE CAUSED THE SAME TO BE SURVEYED INTO LOTS, PUBLIC STREETS, AND EASEMENTS AND HEREBY APPROVES THIS SUBDIVISION AND PUBLIC STREETS AND EASEMENTS FOR THE CONSTRUCTION AND MAINTENANCE OF PUBLIC UTILITIES, PUBLIC TRAILS AND EMERGENCY VEHICLE ACCESS.

DATED THIS _____ DAY OF _____, A.D. 20____

ERIC RAYNOR

ACKNOWLEDGMENT

STATE OF UTAH } S.S.
COUNTY OF WASHCUT }
I, _____, A.D. 20____, PERSONALLY APPEARED BEFORE ME, _____, A.D. 20____, MAY DULY ACKNOWLEDGE TO ME THAT HE/SHE DID EXECUTE THE SAME IN THE CAPACITY INDICATED.

MY COMMISSION EXPIRES _____ NOTARY PUBLIC

ACCEPTANCE BY MIDWAY CITY

THE CITY COUNCIL OF MIDWAY CITY, WASHCUT COUNTY, STATE OF UTAH, HEREBY APPROVES THIS SUBDIVISION AND ACCEPTS THE DEDICATION OF LOTS, EASEMENTS, STREETS AND PUBLIC RIGHTS-OF-WAY HEREON SHOWN.

THIS _____ DAY OF _____, A.D. 20____

APPROVED _____ MAYOR _____ ATTEST _____ CLERK-RECORDED (SEE SEAL BEHIND)

APPROVED _____ CITY ENGINEER (SEE SEAL BEHIND) APPROVED _____ CITY ATTORNEY

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____, A.D. 20____ BY THE _____ CITY PLANNING COMMISSION

PLANNING DIRECTOR _____ CHAIRMAN, PLANNING COMMISSION

RAYNOR SUBDIVISION

MIDWAY CITY, WASHCUT COUNTY, STATE OF UTAH

SCALE: 1" = 30 FEET

SUBMITTER'S SEAL _____ SURVEYOR'S SEAL _____ CITY ENGINEER'S SEAL _____ CLERK-RECORDED SEAL _____

COUNTY SURVEYOR'S CERTIFICATE

APPROVED AS TO FORM ON THIS
DAY OF _____, 20____

ROSA _____
COUNTY SURVEYOR

DATE _____
MIDWAY IRRIGATION COMPANY

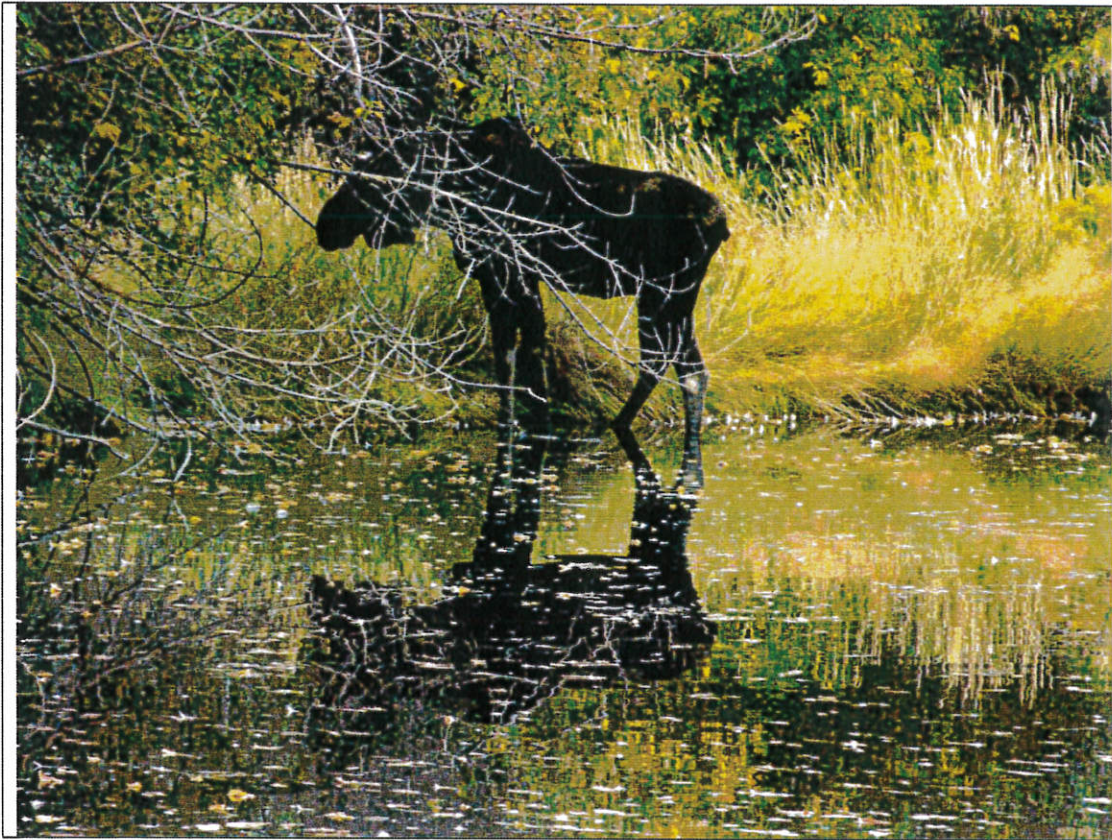
DATE _____
MIDWAY SANITATION DISTRICT

COUNTY RECORDER

REVISIONS
TROY L. TAYLOR, P.L.S.
2200 N. MAIN STREET
MIDWAY CITY, UT 84049
PHONE (801) 867-1444
DATE OF SURVEY: MAY 20, 2019

WETLAND DELINEATION REPORT

Prepared for:
Parcel Location: 565 N. 500 E. (River Rd.),
Midway
County: Wasatch
State: Utah 84049
Date: 12/23/2017
Coordinates: Within the NW 1/4
of Section 35, T3S, R4E.



Prepared by: ahorizon Resources, L.L.C.
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ahorizon@msn.com

WETLAND DELINEATION SUMMARY
Ken Craig, 565 N. 500 E. (River Road), Midway UT 84049

Property owner-

Parcel size – 1.00 acres

Location – Within the NW 1/4 of Section 35, T3S R4E

Directions – From I-80 take the US 40 Exit toward Heber. Continue on US 40 approximately 12.94 miles, turn right at the stop light onto River Road toward Midway. Proceed approximately 3.31 miles to the round-about, take the second exit to stay on River Road (500 E.), continue for approximately .53 miles to the property on the right (west) side of the road.

Delineation method - The delineation was conducted according to the guidelines and procedures in the US Army Corps of Engineers Wetlands Delineation Manual (Technical Report Y-87-1).

Existing field conditions – The site is at approximately 5616 to 5621 feet in elevation and consists of areas of mildly sloping uplands (approx. 40.4%) and wetlands (approx. 59.6%) which include a channelized stream course, a pothole, wet fresh meadow and cattail marsh. Perennial and intermittent water is supplied to the site from a channelized stream on the north boundary that originates from irrigation waters coming from Snake Creek and perennial water flowing from springs and seeps west of the property. Ground water also spreads and enters along the west boundary and surfaces on the south lot line to form a small cattail marsh. All water is linked to flows from mountain canyons and springs that contribute water to the Provo River drainage system. The site is greatly influenced by ground water flow charged by seasonal moisture levels and topographic position. The hydrology of the site is further influenced and complicated by the depth of soils and consolidation, fracturing and depth of the underlying travertine bedrock.

Vegetation – Vegetation on both upland and wetland consists of areas of introduced & native grass and herbaceous forbs dominated by Creeping Wild Rye, Orchard Grass, Reed Canary Grass, Kentucky Bluegrass, Smooth Brome, Canadian Thistle, Baltic Rush, Bracted American-Aster and Broad-leaf Cat-Tail. The percentage of occurrence as dominants at the data points for these species varies between the uplands and wetlands as shown in the following text (see Table 1). Species that occur as dominants in greater percentage on wetlands include Reed Canary Grass, Canadian Thistle, Kentucky Bluegrass, Bracted American-Aster and Broad-Leaf Cat-Tail. Non dominant species that occur more densely and commonly on wetlands than uplands include Fuller's Teasel, Spreading Bent Grass and Baltic Rush. Species that occur more densely and commonly on uplands include Orchard Grass, Smooth Brome and Showy Milk Weed. Creeping Wild Rye, Russian Olive, Gypsy-Flower and Nuttall's Sunflower shared distribution nearly equally between wetlands and uplands.

Soils – The Summit Soil Survey maps site soils as Spaa Silt Loam (SpB) 0-5% slopes across the whole site. Near surface soils typically encountered were 7.5YR 2.5/1 to 7.5YR 3/2. Upland soils typically ranged from 7.5YR 3/2 near surface and 7.5YR 4/1 middle levels to 7.5YR 4/1 to 5/2 in the lower levels. Wetland soils ranged from 7.5YR 2.5/1 or 3/1 near surface to 7.5YR 3/1 to 3/2 in the middle layers and deep soils were 7.5YR 4/1 to 10YR 8/2. Concentrations and depletions occurred in only 3 wetland soil samples from 6" to 17" in depth and ranged from 5YR 4/6 to 7.5YR 5/6, with one near surface (5") Gley1 8N. Surface root layer thickness was consistent across the site being commonly to 6"-7". Soil value, texture and moisture are affected by the undulating presence of a layer of either continuous or fragmented travertine. A typical sample of travertine was 10YR 7/1.

Hydrology – Site hydrology is influenced by a consistent flow channeled from mountain canyon stream runoff, local runoff from offsite springs and ground water flow charged by seasonal moisture levels and concentrated due to topographic position.

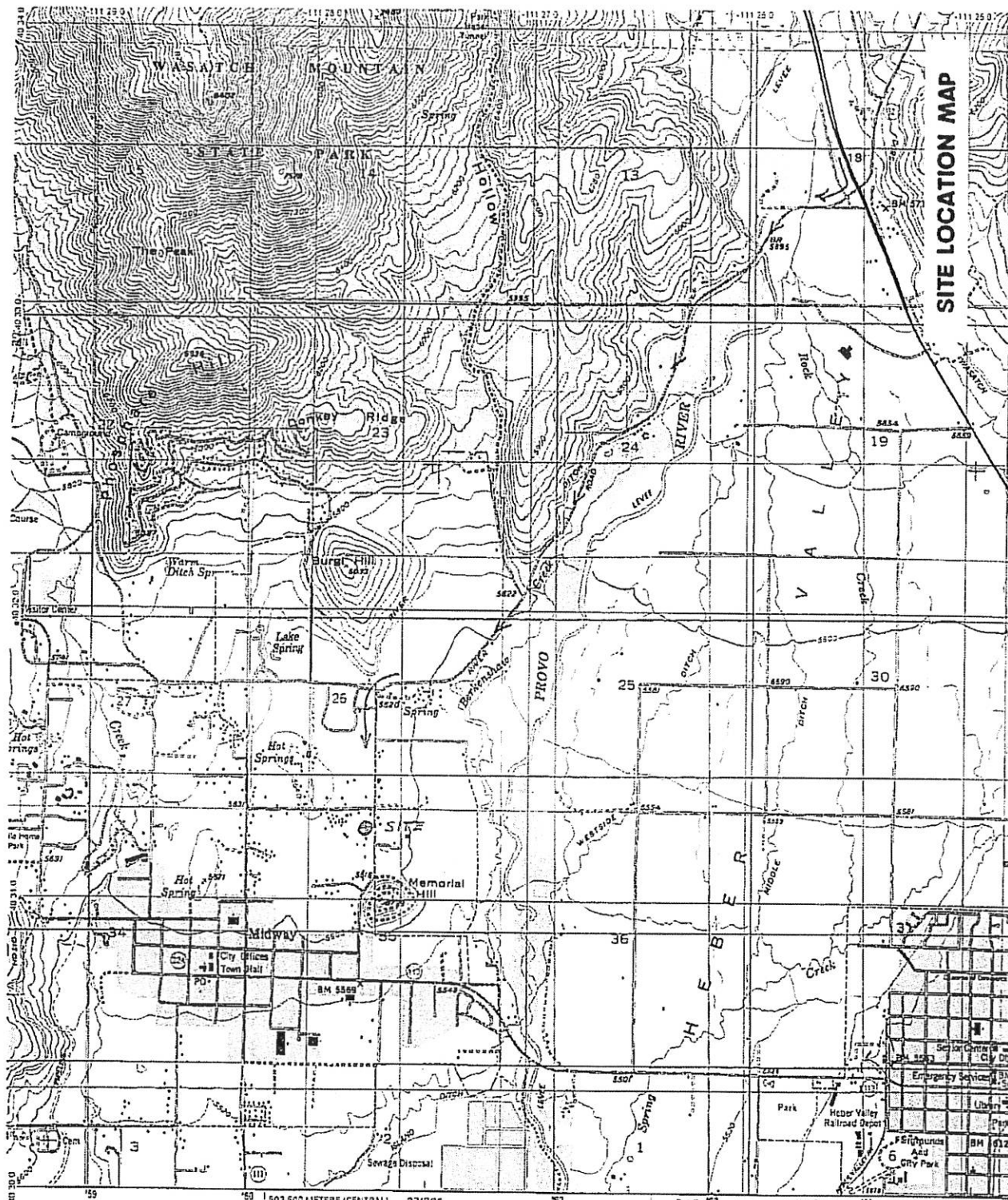
Wetland boundary justification – The boundary is based on dominance of hydrophytic plant species, presence of high soil moisture/saturation, topographic position and upper layers of dark value chroma 1 or 2 soils with mottles or depletions occasional in the lower layers.

Observed foreign commerce connection – none

Wetlands/waters demonstrated to be present solely due to irrigation – .0 acres

Natural wetlands/waters that appear to be isolated – none

Total jurisdictional wetlands – .596 acres

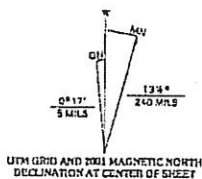


States Geological Survey

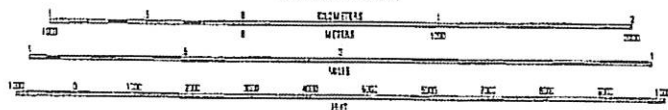
Boundary derived from imagery
Major planimetric features
by System and survey
indicates current as of 1999
(NAD 83). Projection and
inverse Mercator, zone 12
late System of 1983

(NAD 27) is shown by dashed
line between NAD 83 and NAD 27
obtainable from National Geodetic

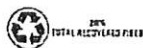
within the boundaries of the
sheet on this map
Ings verified 2000. Houses of worship



SCALE 1:24 000



CONTOUR INTERVAL 40 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929
TO CONVERT FROM FEET TO METERS, MULTIPLY BY .3048



THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U.S. GEOLOGICAL SURVEY, P.O. BOX 15286, DENVER, COLORADO 80225
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

AD

06-1676

06-1577

06-1700

1 21-0097

13-3061

1 06-1692

2 15-1675

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Rockwell Way

Rockwell Cir

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River Rd

Farmhouse Way

Watts Remund Farms PUD PH 1

COMMON

200 E

Sources: Esri, HERE, Garmin, USGS, Intermap, INCR FMA (Hong Kong), Esri Korea, Esri (Thailand), NGCC, © O. 0.0

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