

Midway City Council
7 December 2021
Regular Meeting

Ordinance 2021-41 /
Mixed-Use Density



CITY COUNCIL MEETING STAFF REPORT

DATE OF MEETING: December 7, 2021

NAME OF APPLICANT: Midway City

AGENDA ITEM: Code Text Addition of Section 16.5.3.I.2

Midway City is proposing an amendment to Section 16.5.3.I.2 of the Midway City Municipal Code. The proposed amendment would reduce the density allowed for mixed-use developments greater than one acre.

BACKGROUND:

Section 16.5.3.I.2 of the land use code allows parcels in the C-2 and C-3 zones that are at least one acre in size and have 200' of frontage to be developed as mixed-use projects. The current mixed-use code allows developers to propose densities of up to 20 residential units per acre. These residential units are in addition to the 20% commercial square footage that is required by code. There have been discussions in the past about whether these potential residential densities are appropriate in the commercial zone and reinforce the vision that Midway has for Main Street. As we have reviewed the code as a planning staff, we feel that it would be appropriate to recommend reducing the maximum residential density to something that more closely matches the residential densities allowed in the R-1-7 residential zone, which allows for 7,000 square foot lots.

For example, if a 10-acre parcel in the R-1-7 zone was proposed for development as a standard subdivision, the average density would be approximately 5.3 units per acre (factors in a 15% acreage reduction for roads). If that same property was developed as a planned unit development, the allowed density would be 5.0 units per acre.

In an effort to more closely match densities of the surrounding zones, we would propose the 20 residential units per acre be adjusted to 5.0 residential units per acre. In addition to the five residential units per acre, the developer would be required to develop the

commercial portion of the project at a rate that is equal to 20% of the gross square footage of the residential structures.

In hopes of providing some context regarding densities, below are a few examples of residential densities within our community.

The densities below represent the total acreage of the development, including any required open space or park dedications:

Example Residential Densities

- Remund Farms PUD..... 1.9 units/acre
- Fox Pointe..... 2.1 units/acre
- Valais PUD, including Valais Park.....2.2 units/acre
- Hamlet PUD, including Hamlet Park and Open Space.....4.0 units/acre
- Revised Village Master Plan.....5.2 residential units/acre

The densities below represent a deduction for some of the open space within the previously listed developments, which may include park dedications or required open space. It does not deduct smaller open space areas that surround the residential units:

Example Residential Densities (not including open space (OS) dedications):

- Remund Farms PUD (not including 29 ac. of OS)..... 4.7 units/acre
- Fox Pointe (no adjustment made)..... 2.1 units/acre
- Valais PUD (not including Valais Park).....3.1 units/acre
- Hamlet PUD (not including Hamlet Park, clubhouse or OS on south and east side of Michie Lane)..... 8.3 units/acre
- Revised Village Master Plan (not including 8.36 AC. OS)..... 7.5 residential units/acre

Currently the mixed-use code (Section 16.5.3.I.2) for parcels that are one-acre and larger states the following:

b. Up to 20 residential units per acre

The proposed amendment to the language would read as follows:

b. Up to 5 residential units per acre

With the proposed amendment, the quantity of allowed residential units would more closely match the allowed densities in the surrounding residential zones and would promote a more natural transition from a mixed-use development to the surrounding residential areas.

POSSIBLE FINDINGS:

- The proposed code text amendment would only impact mixed-use developments that are one acre or larger
- The proposed adjustment would create a more gradual transition of allowed residential densities from the commercial zones to the surrounding residential zones
- Midway would continue to require a minimum of 20% commercial density within mixed-use developments, but would limit residential to densities that match the surrounding areas
- The proposed amendment would comply with the vision of Main Street as described in the General Plan

PLANNING COMMISSION RECOMMENDATION:

Motion: Commissioner Simons: I make a motion that we recommend denial of an amendment to Section 16.5.3.I.2 of the Midway City Municipal Code. The proposed amendment would reduce the density allowed for mixed-use developments greater than one acre.

Seconded: Commissioner Ream

Chairman Nicholas: Any discussion on the motion?

Chairman Nicholas: All in favor.

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

Motion: Passed

ALTERNATIVE ACTIONS:

1. Approval. This action can be taken if the City Council finds that the proposed language is an acceptable amendment to the City’s Municipal Code.
 - a. Accept staff report
 - b. List accepted findings
2. Continuance. This action can be taken if the City Council 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

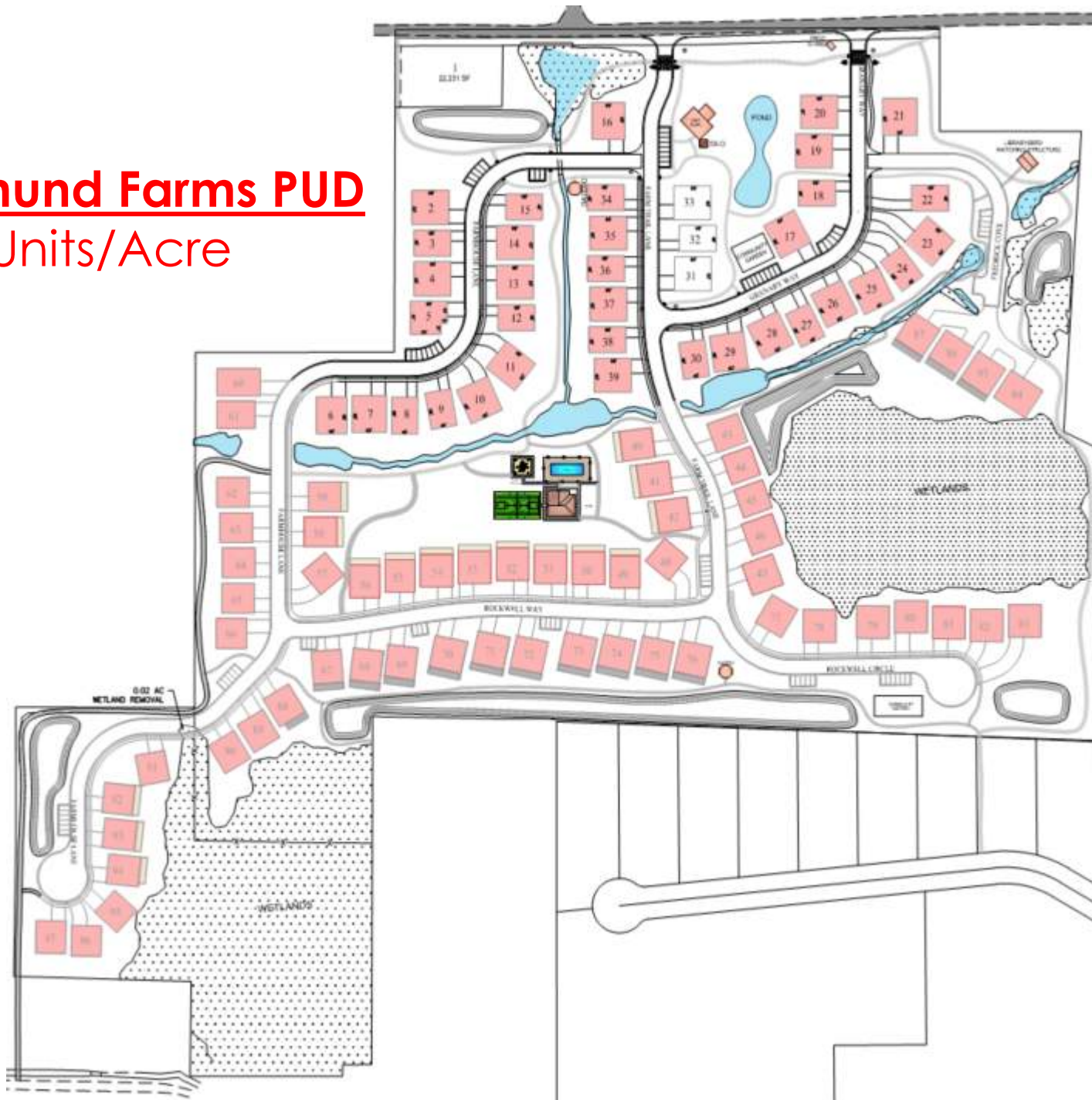
- 3. Denial. This action can be taken if the City Council finds that the proposed amendment is not an acceptable revision to the City's Municipal Code.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for denial

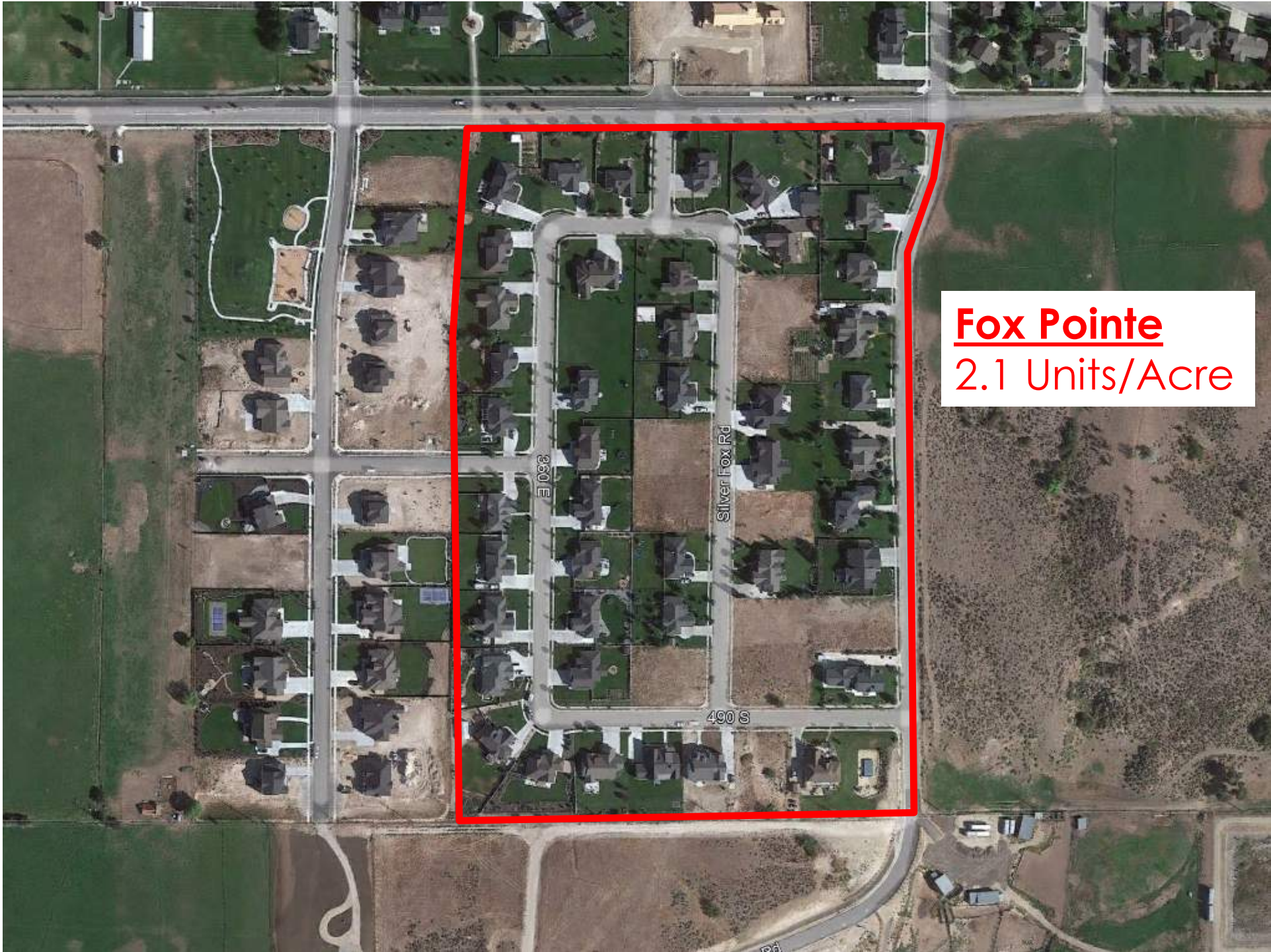
Exhibits

Exhibit 1 – Density Examples

Exhibit 1

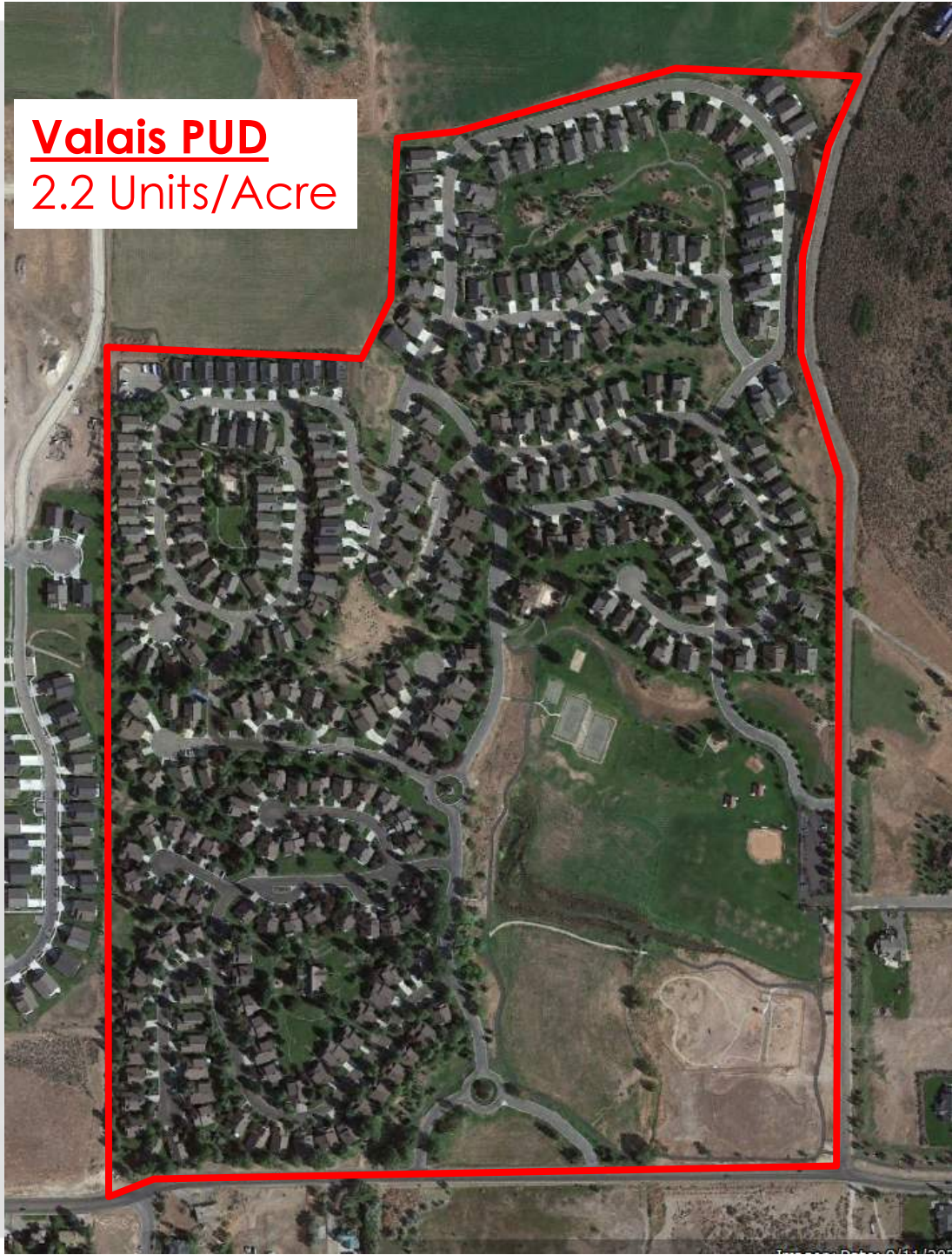
Remund Farms PUD
1.9 Units/Acre

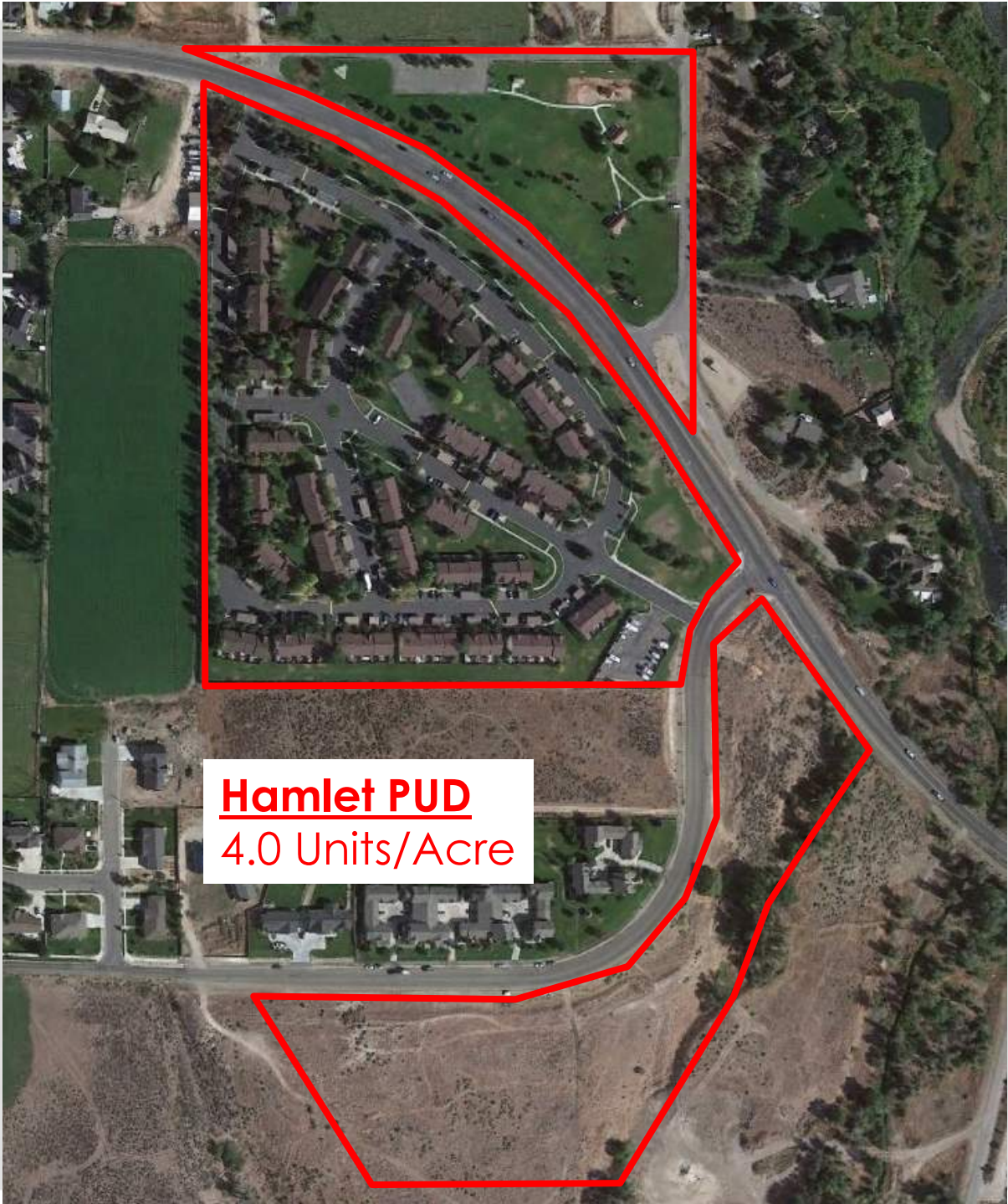




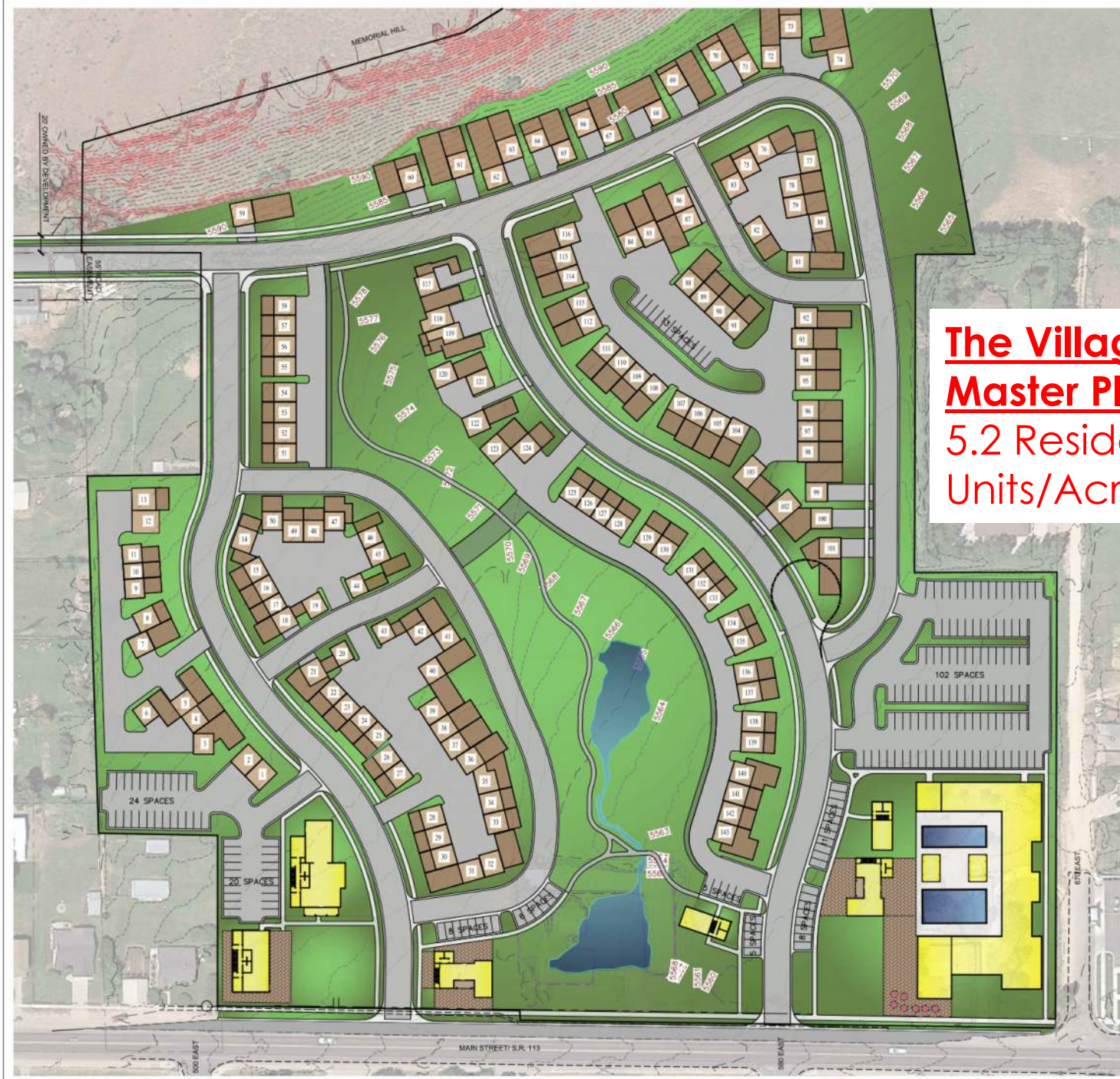
Fox Pointe
2.1 Units/Acre

Valais PUD
2.2 Units/Acre





Hamlet PUD
4.0 Units/Acre



The Village
Master Plan
5.2 Residential
Units/Acre



Midway

ORDINANCE

2021-41

**AN ORDINANCE TO AMEND SECTION 16.5.3.I.2 OF THE
MIDWAY CITY LAND USE CODE TO REDUCE THE
DENSITY ALLOWED FOR MIXED-USE DEVELOPMENTS
GREATER THAN ONE ACRE.**

WHEREAS, pursuant to Utah Code Section 10-9a-509 the Midway City Council may formally initiate proceedings to amend city ordinances; and

WHEREAS, the Midway City Land Use Code currently allows parcels in the C-2 and C-3 zones that are at least one acre in size and have 200 feet of frontage to be developed as mixed-use projects; and

WHEREAS, the Midway City Planning Staff has recommended reducing the maximum allowed residential density in the C-2 and C-3 zones to reinforce the vision that Midway has for its Main Street; and

WHEREAS, the Midway City Council now desires to follow Planning Staff's recommendation by amending Section 16.5.3.I.2 of the Land Use Code to reduce the maximum residential density allowed in the C-2 and C-3 zones.

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

Section 16.5.3.I.2 shall be amended to read as follows:

2. Lots greater than one acre:
 - a. Frontage: 200 feet
 - b. Up to 5 residential units per acre
 - c. A minimum of 20 percent of the gross square feet of all structures on the lot must be deed-restricted as commercial.

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 December, 2021.

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

DRAFT

APPROVED:

Celeste Johnson, Mayor

ATTEST:

Brad Wilson, City Recorder

APPROVED AS TO FORM:

Corbin Gordon, City Attorney

(SEAL)