



PLANNING COMMISSION MEETING STAFF REPORT

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| DATE OF MEETING: | June 11, 2024 |
| NAME OF PROJECT: | Midway Growth Boundary Expansion |
| NAME OF APPLICANT: | Midway City |
| AGENDA ITEM: | Land Use Map Amendment |
| LOCATION OF ITEM: | North and South Fields |
| ZONING DESIGNATION: | A-20, PF, and RA-5 |
| PROPOSED ZONING: | Inclusion in the Transient Rental Overlay District |

ITEM: 3

Midway City is proposing an amendment to the City’s Land Use map. The proposal is to extend the Midway Growth Boundary which would allow potential annexation of the area into Midway. The expansion area would generally follow the east bank of the Provo River into the North Fields from State Route 113 to the River Meadows Ranch area. The proposed extension boundary may also include areas south of State Route 113 along the east side of the Provo River south to the Casperville Road area.

BACKGROUND:

During the last revision of the General Plan during 2022 and 2023, there was much discussion regarding open space in and around Midway and how best to preserve open areas. The discussion focused on the North Fields for several reasons that discussion included preserving agricultural land, preserving the Provo River corridor, and maintaining open areas between Midway and surrounding cities and towns. It was determined that one of the best ways to do this is to allow the

properties to annex into Midway and for that to be possible, those properties must be in the Midway Growth Boundary. State law requires that a city establish a growth boundary (annexation declaration) so that a property may be considered for annexation. Simply, if a property is not in the growth boundary, a city may not consider annexation of that property.

This discussion started in the Land Use committee that was formed to review and make recommendations for possible revisions to the land use chapter of the General Plan. The committee recommended to the Planning Commission language that included expanding Midway's growth boundary to the east. The Planning Commission reviewed that recommendation and recommended to the City Council to also adopt language into the General Plan. The City Council then reviewed those recommendations and adopted the following language into the 2022 Midway General Plan on page 14:

Land Area and Annexation

Midway is bounded on the north and west by mountains, on the east by the Provo River and on the south by Deer Creek Reservoir. Much of the land within that area is already part of the City. **Midway should consider increasing its growth boundary, including areas adjacent to the North Fields and the area along River Road to the Hwy 40 intersection.** Key to annexation decisions is the impacts on existing land uses, particularly water resources. For more information, please see the Midway City Annexation Policy Plan.

ANALYSIS:

There are several reasons why the General Plan contains this language which include the following:

- The current open space bond can only be considered in areas that are located within Midway's growth boundary area. By including more land in the growth boundary, Midway can consider contributing funding to those areas which support goals in the General Plan such as securing more open areas between Midway and surrounding communities. Including these areas in the growth boundary could help Midway reach this goal. Midway has considered a second open space bond, and if the language for that bond is the same as for the first bond, extending the growth boundary would make it possible for the City Council to consider more property for preservation than is currently possible.
- The growth boundary helps create a buffer from surrounding communities which is a goal stated in the General Plan. State Code does not prohibit, but it does discourage the overlapping of growth boundaries of different cities. If Midway's boundary is expanded, it's less likely that surrounding communities will include those areas in their growth boundaries.

- Midway gains control over the land use laws in the areas that are annexed into the City. Currently lands in the North Fields are in Wasatch County’s jurisdiction and the county’s land use laws govern the area. If those properties are annexed into Midway, Midway determines the land use laws that will control land use and those laws will support the vision and goals in the Midway General Plan.

Staff are seeking direction from the Planning Commission that will help us as we commence the process to consider increasing the growth boundary. One of the requirements in the State Code regarding increasing the boundary includes noticing of affected entities. Staff would like to know the approximate location of the proposed boundary so we can determine which entities will receive notice.

A second item that will be considered is the proposed zoning that will be designated by Midway of any property that is included in the expanded growth boundary area. Currently the County has three zones in this area. The first is the Public Facilities zone (PF) which includes federally owned property along the Provo River. The second is the A-20 zone which includes the privately owned property in the North Fields and South Fields. Some of the property in the North Fields is also designated as Agricultural Protection Areas. A third zone that might be included, depending on how far south the City expands the boundary, is the RA-5 zone which is a residential-agricultural zone with a minimum area of five acres. It’s unlikely that Midway will want to designate the areas in the proposed expansion with any of the zones that Midway currently has because of their relatively high density. It will be necessary to create new zones that more closely match the current County zoning. These new zones will need to be adopted into the Land Use Code before the growth boundary is extended.

Attached is a copy of the City’s current Land Use Map to this report and a copy of the County’s Zoning Map also.

Staff has created three options to consider regarding expanding Midway’s growth boundary. The Planning Commission may choose to recommend to the City Council one of the three options or a modified version of any of the options.

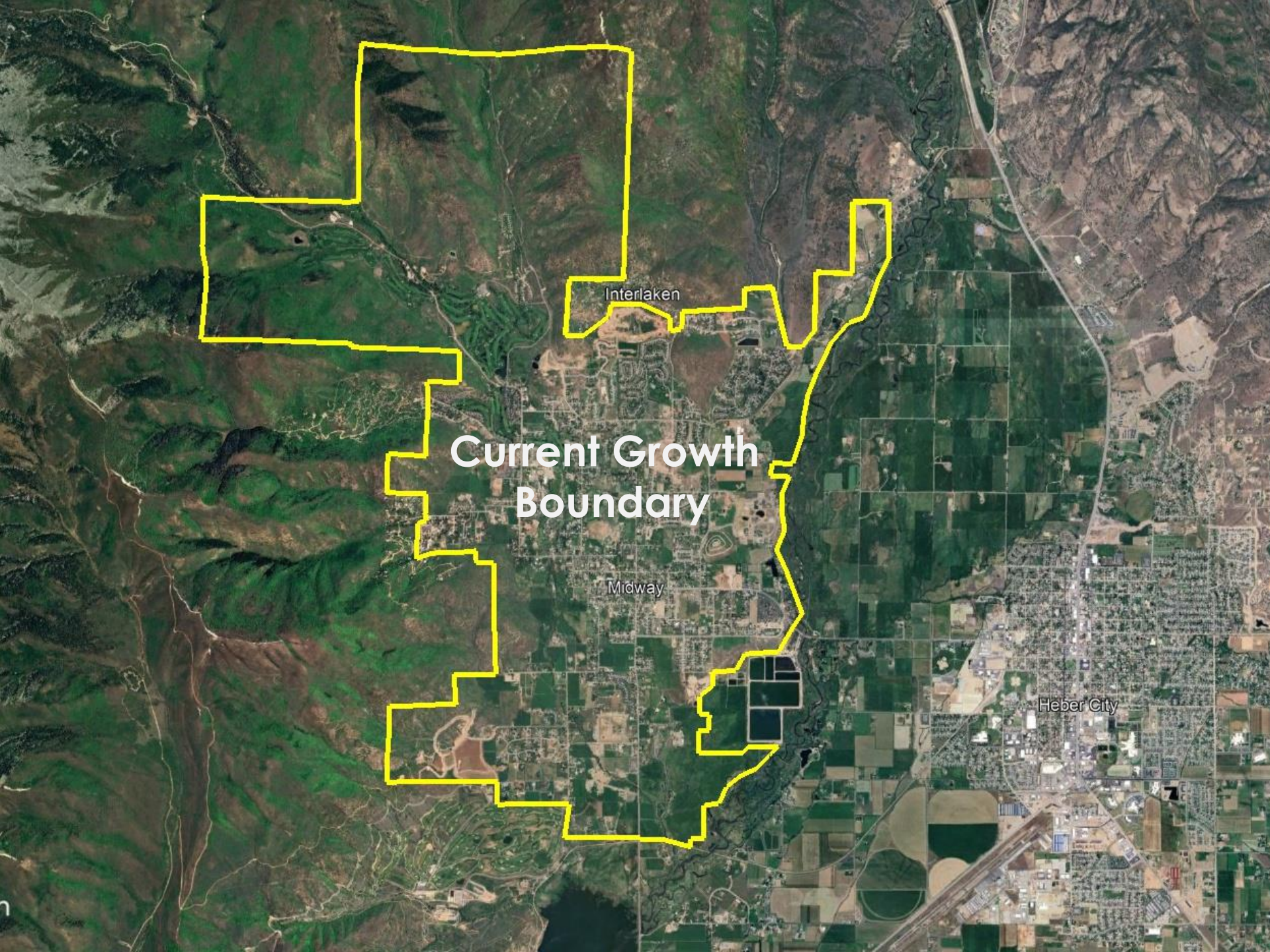
POSSIBLE FINDINGS:

- Midway’s General Plan encourages expanding the City’s growth boundary to the east side of the Provo River.
- If the growth boundary is expanded, Midway may consider using open space bond funds in the expanded area.
- An expanded growth boundary will help Midway match the vision described in the General Plan of preserving open space and preserving open areas between Midway and surrounding communities.

- The City Council is under no obligation to approve the proposal but may do so if they find it will benefit the community.

ALTERNATIVE ACTIONS:

1. Recommendation of Approval (conditional). This action can be taken if the Planning Commission finds proposal is acceptable and is in the community's best interest.
 - a. Accept staff report
 - b. List accepted findings
 - c. Place condition(s)
2. Continuance. This action can be taken if the Planning Commission 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. Recommendation of Denial. This action can be taken if the Planning Commission finds that the request is not acceptable and not in the best interest of the community.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for denial



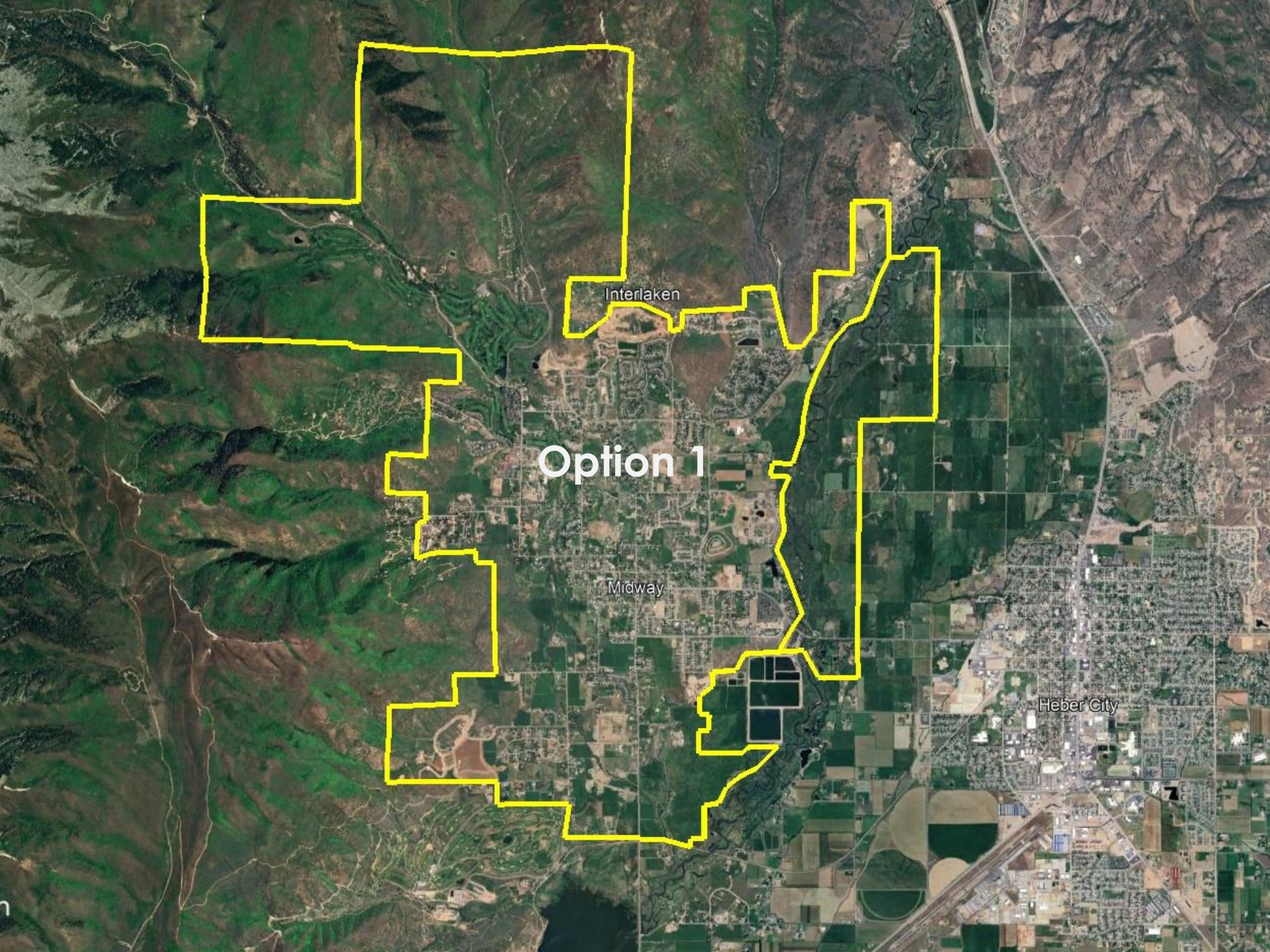
**Current Growth
Boundary**

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Midway

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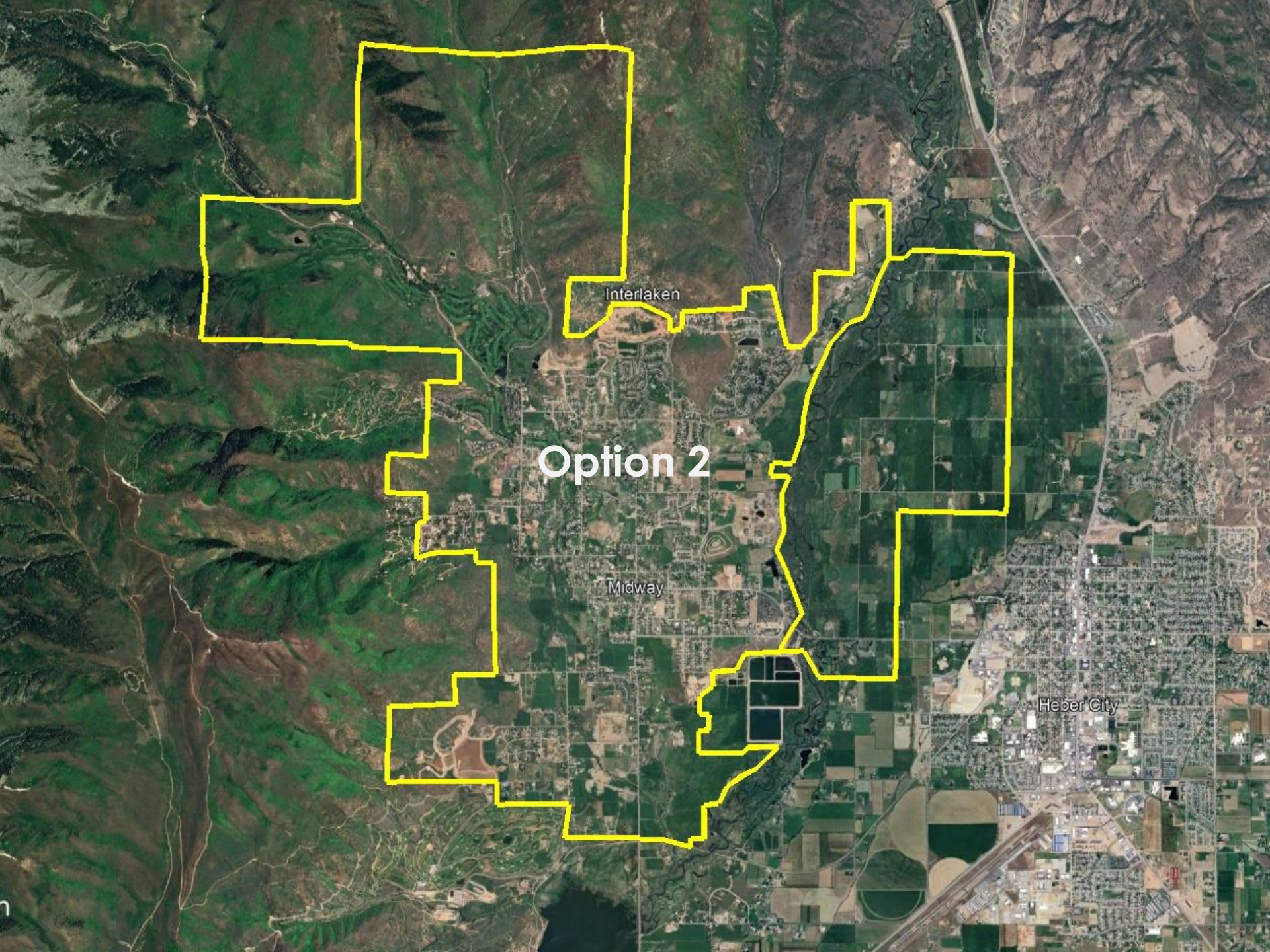


Option 1

Interlaken

Midway

Heber City



Interlaken

Option 2

Midway

Heber City

