

Minutes of the FRANCIS TOWN Planning Commission Meeting and Public Hearing

June 25, 2008

Recreation Building 2617 Springhollow Road Francis, Utah

The Francis Town Planning Commission convened in regular session Wednesday, June 25, 2008 in the Francis Town Recreation Building.

PRESENT:

Vice Chair: Susan Cann
Commissioner: Bill Crystal
Commissioner: Gio Melendez
Commissioner: Dorothy Sullivan
Commissioner: Peter Swisher

City Planner: Alison Weyher
Secretary: Susan Moses

ABSENT:

Commissioner: Joe Eiting
Commissioner: Sheldon Thompson

IN ATTENDANCE: Allyssa Gardner, Julie Gardner, Jack Gardner, Toni Napes-Strickel, Kit Burton, Cortni Swisher, Bruce Riches

Alison Weyher state she had an announcement to make before we call the meeting to order. Greg Averett resigned from the Town Council and Lorin Prescott has been selected as the new Town Council member and is no longer on the Planning Commission. Susan Cann is Vice-Chair and will move up to be Chair. Gio Melendez will move from alternate to Commissioner. One of the agenda items is to select a new Vice-Chair.

Opening:

Susan Cann called meeting to order at 7:00 pm.

Approval of Minutes:

Peter Swisher motioned to approve the minutes for May 28, 2008 Gio Melendez seconded the motion. Motion passed unanimously.

Agenda Item Number Three: Election of new officers

Dorothy Sullivan nominated Peter Swisher to be Vice-Chair. Bill Crystal seconded the motion. Motion passed unanimously. Peter Swisher accepted.

Agenda Item Number Four: Concept Plan Review – Kaia Sorensen coffee house

Kaia Sorensen cancelled.

Agenda Item Number Five: Discussion of Proposed Revisions to Planning Commission Bylaws

Alison Weyher stated, as part of the update for the Development Code is the amendment for the Planning Commission Bylaws to allow an alternate Commissioner. At the town council meeting, they suggested maybe we do not need an alternate. Alison Weyher added she thinks it is a good idea because frequently there are vacancies on the Commission, which may take several months to fill. In addition, Commissioners may be absent from meetings for a variety of reasons. This leaves the Commission short several members or, rarely, without a quorum. Amending the Bylaws to add an alternate will help resolve this issue as well as providing ‘on the job’ training for new Commissioners. Also proposes that the alternate member attend all meetings and vote in the absence of a Commissioner.

Gio Melendez stated he thinks it is a good idea; the alternate can learn and understand the process and what is going on. Also good to have someone who can fill in.

Susan Cann agrees it is a good idea.

Dorothy Sullivan asked if would start looking for someone now. Alison Weyher answered assuming the Commission approves this, and then it will go before the Town Council, after the Town Council approves it, and then it becomes part of the Planning Commission By-Laws. The Town Council has to ratify all of the Planning Commissions decisions even when it is setting their own By-Laws. After that, we will advertise and interview applicants. Alison Weyher added that would take a couple of months.

Gio Melendez asked if the Town Council could make a recommendation now and the Town Council look for someone pending their approval so we do not have to wait a couple of months. Alison Weyher answered we could, but it would be appropriate to wait until it is ratified.

Susan Cann asked if the By-Law revision would need a public hearing. Alison Weyher answered we will have a public hearing on the By-Laws with the Development Code Updates Public Hearing.

Opened to Public

Kit Burton commented having attended these meetings since 1994, thinks it is a great idea, you will have a more informed Planning Commission and always have a quorum.

Dorothy Sullivan motioned to amend the Bylaws of the Planning Commission to include an alternate member. Peter Swisher seconded the motion. Motion passed unanimously.

Agenda Item Number Six: Discussion of Revisions to the Development Code

First Item: 1.13.3.2 To Determine the Impact on Water, Fire Flows and Sewage Current Language

6. Proof that an applicant has a final order from the State Engineer changing the use of the applicant's water rights to municipal use and changing the point of diversion of the water rights to a Francis Town well, in an amount sufficient to satisfy the requirements of this Code or tender sufficient funds to purchase those rights should the Town have offered to sell water rights to the applicant.

Proposed Language

6. Proof that an applicant has a final order from the State Engineer changing the use of the applicant's water rights to municipal use and changing the point of diversion of the water rights to a Francis Town well, in an amount sufficient to satisfy the requirements of this Code.

Reason:

Francis Town does not sell water rights. All applicants are required to submit shares of water in either Washington or South Kamas Irrigation Companies before a final plat may be recorded.

Opened to Public

No public comments

Bill Crystal asked if this means the applicant gives the Town of Francis water rights or do you have to go to the State of Utah and have them change the deed. Alison Weyher answered what we have required in the pass is five lots or less (minor subdivision) we have accepted the water directly and the Town has handled the transfer at the State level. For major subdivisions anything over five lots, the applicant is required to go to through the State transfer process. Scott Kettle will go with the applicant to the State; we walk through the process with the applicant to make sure the State approves the change.

Dorothy Sullivan motioned to change the language as proposed. Gio Melendez seconded the motion. Motion passed unanimously.

Second Item: 3.12 Home/Premise Occupations

Alison Weyher gave an update. Last week the Town Council changed what the Planning Commission recommended for Angel Johnson. The Town Council wants the Planning Commission to review Angel Johnson's Conditional Use Permit every year.

Alison Weyher stated she has talked with the people who are in charge of rural daycare with the State of Utah. The State differentiates between daycare and preschools. Our Development Code does not. The State considers a preschool to be any operation that has 16 or less children that operates three days a week for no more than 4 hours a day. You could have a morning and afternoon session. You cannot have more than 16 children and you cannot have them there more than 12 hours a week. Daycare can go twenty-four hours a day, seven days a week. The State regulates all daycares that have five or more children that you are tending. The State has more stringent regulation. The State also has requirements: for every eight children you have to have one adult caregiver. If you have infants, the child/caregiver ratio is higher. The State is also reviewing their requirements for rural daycare. One of the big issues is fencing. Those guidelines will come out in September. What the State believes it will do is require fencing around the play area. The State may make changes on what type of fences they require.

Alison Weyher proposed to add language that stated. "All childcare facilities shall be permitted to provide outdoor playtime as required by Federal, State, County or local laws governing such business activity. All outdoor play areas must be fenced with an appropriate material."

Reason

Adding this language to the Development Code formalizes the Planning Commission's policy of requiring play areas to be fenced. It also brings the Code into compliance with State regulations. The State of Utah regulates all day care operations with five or more children.

Open to Public

No public comments

Bill Crystal asked if the State laws would trump the CC&Rs. Gio Melendez responded that he thought the licensing process for a daycare or preschool would trump the CC&Rs. Bill Crystal is concerned if we make someone put a certain type of fence up and their CC&Rs do not allow that type of fence we are discriminating. Gio Melendez responded you cannot operate a daycare or preschool without a license and the State will not give you a license without a fence. Peter Swisher commented that it is a State issue not a Town issue. Gio Melendez added it will be up to the State to license not the Town and that the State will enforce the fence not the Town. Alison Weyher explained State law trumps anything the Town does. Bill Crystal asked if we could stop the new CC&Rs from restricting certain fences. Alison Weyher stated we cannot do that. The Town has no control over CC&Rs and the Town does not enforce CC&Rs. Alison Weyher added we enforce the zoning ordinance, and the Development Code but the

CC&Rs are set up by the subdivision and the homeowners association approves them. They are private rules and regulations governing just that subdivision. If the people in that neighborhood want to change the CC&Rs, they can if they follow the procedure setup by the CC&Rs. The Town does not have a say or control over CC&Rs.

Peter Swisher thinks the new language is better because it says appropriate material. This way the Planning Commission can determine what is appropriate material.

Alison Weyher reminded that we only regulate daycare or preschools with eight or more children. If you have less than eight children, you only have to have a business license.

Gio Melendez asked if they had to be licensed by the State. Alison Weyher answered daycare would be but not preschools.

Susan Cann stated if the CC&Rs are stricter than the Town Code the CC&Rs trump the Town. However, the Town does not enforce the CC&Rs the homeowners association does.

Gio Melendez asked if the CC&Rs could be less stringent than the Town Code. Alison Weyher answered no.

Peter Swisher motioned to accept the changes in the language. Dorothy seconded the motion. Motioned passed unanimously.

Third Item: 3.13 Height Provisions

3. Church spires, bell towers, and like architectural features, may extend over the specified maximum height limit, but shall not contain any habitable spaces above the maximum zone height stated. These features must be approved, as part of the site plan review and final plat approval and under no circumstances shall be more than fifty (50) feet above final grade.

Proposed language

3. Church spires, bell towers, and like architectural features, may extend over the specified maximum height limit, but shall not contain any habitable spaces above the maximum zone height stated. These features must be approved, as part of the site plan review and final plat approval and under no circumstances shall be more than fifty (50) feet above final grade unless approved as part of a Conditional Use Permit.

Reason:

The Town Council adopted this language in February 2008. Making this change brings the Development Code current with adopted ordinances.

Alison Weyher stated the prior language was a variance and you went to the Board of Adjustments, and they said yes or no. After considerable discussion and many meeting we felt it was better to approve it as part of a Conditional Use Permit because then you could make sure the spirals or bell tower is in keeping with the scope of the building, size of the building,

and it meet the landscaping requirements and everything else, rather than approving it in a vacuum.

Opened to Public

No public comment.

Peter Swisher motioned to accept the changes in language. Dorothy Sullivan seconded the motion. Motion passed unanimously.

Fourth Item: 3.22 Standards for Approving a Storage Yard

Alison Weyher stated she believes there was a typo in the original Development Code because the current language states “Off Street parking and landscaping shall be provided according to the standards of zoning section 3.27.” There is no section 3.27. Alison Weyher recommended changing the language to read “ 5. Off Street parking and landscaping shall be provided according to the standards of zoning section 7.3.4.” Which is the Commercial Development and deals with Development Design, specifically landscaping and parking.

Opened to Public

Julie Gardner asked if this was just for storage units or all commercial property. Alison Weyher answered all commercial property. Julie Gardner asked what about homes that are being used for businesses, do they fall under the same criteria. Alison Weyher answered Chapter 7 deals with commercial development and so we believe it mean new development and any excising property used for commercial activities would not be under the new development regulations. Julie Gardner asked, any new permits would be governed by the new regulations but any exciting commercial not in compliance would not be enforced. Alison Weyher answered yes.

Dorothy Sullivan motioned to approve moving to section 7.3.4 of the Development Code. Peter Swisher seconded the motion. Motion passed unanimously.

Fifth Item: Chapter 5 Zone Districts and Regulations

Alison Weyher explained we are not changing anything, we are leaving all of the same setbacks, but we are putting them in a chart. Instead of listing setbacks separately under each zone through out the code, we are going to put them in one place on one chart to make it easier to identify setbacks in each zone.

Gio Melendez asked if the chart would be located in chapter 5. Alison Weyher answered yes.

Opened to Public

Julie Gardner asked what the setbacks are used for. Alison Weyher explained setbacks are how far back from your property line you are allowed to build. Having a chart will make it easier to find and more user friendly.

Gio Melendez asked if the CC&Rs are less stringent than the Town Code do they have to follow the Town Code. Alison Weyher answered yes, and added if the CC&Rs are more stringent than the Town Code the applicant has to get approval from the homeowners association. We try when people have building permits in subdivisions where we know they do have strict CC&Rs and they enforce them we ask the applicant before they get their building permit to give as a letter stating they have approval from the home association.

Peter Swisher motioned to accept the changes. Dorothy seconded the motion. Motioned passed unanimously.

Sixth Item: 5.2.1.1 Permitted Uses, 5.2.3.1

Current Language

6. Typical domesticated farm animals, limited to 100 animal points per acre used exclusively for their care and keeping.

Horses, Cattle	40 points
Llamas, Sheep	20 points
Chickens	5 points

Proposed language:

Move to Chapter 3, SUPPLEMENTARY PROVISIONS and amend as follows:

Domesticated farm animals include horses, cattle, sheep, goats, llamas, pigs, chickens and donkeys. Household animals include dogs and cats. Platted subdivisions are defined as any division of a tract of land or parcel of land into more than four lots for the purpose of development and zoned R-1.

1. Areas of Francis Town, which have historically been agricultural and are not part of platted subdivisions are allowed to have such domesticated farm animals as can be properly cared for on each lot.
2. Areas of Francis Town within platted subdivisions are permitted to have two horses or cattle, or four sheep, goats, llamas or donkeys per half acre devoted to their care, subject to the CC&Rs of the development. Additional animal densities may be approved through the Conditional Use Process.
3. No more than three household animals are permitted per half-acre lot; however, additional densities may be approved through the Conditional Use process.
4. No domesticated farm animals are permitted in the R-2 Zone

Alison Weyher has reviewed Summit County, Coalville, and Park City codes dealing with animals. These proposed changes are in harmony with their ordinances. Because care of domesticated farm animals, specifically horses, has changed to where most livestock are kept in barns, fed baled hay rather than pasture grass, and are well cared for by their owners, communities do not feel the need to restrict the numbers as severely. In addition, Summit County Animal Control is now under the jurisdiction of the Sheriff, and when complaints of mistreatment arise, Animal Control is in a much better position to respond than Francis staff.

Opened to Public

Toni Napes-Strickel asked what zone the Wild Willow and River Bluffs development was in. Alison Weyher answered zone RA-1. Toni Naples-Strickel stated you have a development go up with half-acre lots and it was not clear that with a house, you do not have a full half acre for horses and you should not be allowed to have two horses. Alison Weyher stated it is clarified in the CC&Rs for that development; there are only six or eight horse lots in River Bluffs.

Gio Melendez suggested changing the verbiage to a minimum of a half acre devoted to their care. Susan Cann and Peter Swisher agreed.

Bill Crystal commented we should table this issue until next month so we have more time to study the issue. Added he does not like to put restrictions on landowners. This is a farming and ranching community and we should not take away the right to have animals on your property.

Gio Melendez suggested we find out if there is a minimum that the County requires. Alison Weyher responded the County requires minimum of a half-acre.

Bill Crystal stated we should get rid of the animal point in the Code.

Peter Swisher commented the fact that we can still approve Conditional Use Permits for additional animals make it OK to use this as a base line and we take the rest of it as it comes.

Gio Melendez added a Conditional Use Permit would require a Public hearing and the neighbors have the opportunity to oppose.

Toni Napes-Strickle stated she thought it was clear that this was for the R-1, plat lots not for agriculture.

Alison Weyher read from the Code "1. Areas of Francis Town, which have historically been agricultural and are not part of platted subdivisions, are allowed to have such domesticated farm animals as can be property cared for on each lot."

Dorothy Sullivan commented she likes the half-acre as the starting point, also the discretion to give a Conditional Use Permit.

Gio Melendez feels the way it is written covers everything, it is based on the County Code, and we can choose to decide when someone comes to us for a Conditional Use Permit. We can look at each individual case.

Dorothy Sullivan commented that the CC&Rs would take care of the subdivisions.

Gio Melendez motioned to leave as it is proposed, taking the animal points out and table for further discussion next month. Peter Swisher seconded the motion. Motion passed unanimously.

Alison Weyher asked that any ideas on the domesticated farm animals be emailed to her.

Seventh Item: 5.2.1.3 Lot, Density and Open Space

Proposed language

The minimum area of any single lot or parcel is 15,000 sq. ft. with the maximum density being two (2) dwelling units per acre. Density calculations shall be determined after the required easements and rights-of-way have been platted from the original acreage. The maximum number of lots allowed will be calculated by multiplying the total amount of acreage available for lots (after the required easements and rights of way have been subtracted) by two. Lot sizes of 15,000 sq. ft. will only be approved if the proposed open space is deemed to have a high value to the community by the Planning Commission. High value open space may include the following uses: agricultural, cultural heritage, aesthetic, recreational, or environmental in nature. All proposed open space shall have a conservation easement and shall be accompanied by an adequate management agreement, including “seed” money for initial maintenance

Alison Weyher stated the reason for the change is to clarify the Town’s goal to have no more than two lots per acre in the R-1 zone. Currently applicants may feel that they are entitled to an average of two lots, which is not the Commission or Council’s intent.

Opened to Public

Kit Burton commented we need to pass this.

Jack Gardner also agrees we need to pass this.

Alison Weyher stated we cannot do anything on what has been approved but will solve problems in the future.

Peter Swisher motioned to approve the proposed language. Dorothy Sullivan seconded the motion. Motion passed unanimously.

Eight Item: 5.2.2 Residential Zone

Alison Weyher stated this is to clarify the language.

5.2.2. Residential Zone

Current Language

The R-2 Residential zone is established to provide a residential environment within the Town, which is characterized by attractively landscaped single-family residential lots, two family dwellings and open space. The R-2 zone is not intended to be an agricultural zone and development is intended to occur at medium densities.

5.2.2.1 Permitted Uses

2. Single family dwellings, attached (Owner occupied duplexes, condominiums, town homes).

Proposed Language

2.2.1 Permitted Uses

The R-2 Residential zone is established to provide a residential environment within the Town, which is characterized, by attractively landscaped single-family residential lots, two family dwellings, condominiums, town homes and open space. The R-2 zone is not intended to be an agricultural zone and development is intended to occur at medium densities.

Alison Weyher stated we have this referenced in two different sections in the Code, we are making it consistent so that it clarifies that you are allowed to have two family lots, condominiums, and town homes and open space.

Gio Melendez asked if number 2 was implying owner occupied duplexes, owner occupied condominiums and owner occupied town homes. Alison Weyher answered no we are not implying that in the code, we do however require condominiums to be Conditional Use. We have affordable housing which is in the R-2 zone; we did require that to be owner occupied. As we talk to people about doing condominium projects, we have discussed requiring those to be owner occupied. Since we have not had a condominium project come through yet we do not know how that is going to end up working out. We have done affordable housing we are requiring that to be owner occupied. It is hard to have a duplex owner occupied on both sides that is going to be something we are going to have to work through as we see it. Alison Weyher added that the proposed language takes out the owner occupied.

Opened to Public

No public comments

Dorothy Sullivan agreed the owner occupied should be taken out.

Peter Swisher commented the point of having owner occupied duplex is so the owner is on site to manage the renter.

Dorothy Sullivan commented that if she built a duplex it would be for a rental and for an investment, not to live in one.

Bill Crystal commented without an owner occupied someone could come in and build a lot of rentals. Can understand why owner occupied was put in the code.

Alison Weyher stated the safe guard to that is that in order to build any condominiums you have to go through the Conditional Use process and get your Conditional Use Permit and that permit runs with the development, so even if the original owners sell, those restriction are still in place.

Bill Crystal asked what happens if we take owner occupant out. Alison Weyher answered what we are concerned about, is we do not want a large transient population, we want a stable environment. We can work that through as part of the Conditional Uses Permit It also gives as flexibility.

Dorothy Sullivan motioned to accept changes in language. Peter Swisher seconded the motion. Motion passed unanimously.

Ninth Item: 5.2. 1.8 and 5.2.2.6 Yard Requirements

Alison Weyher stated we are not making any changes we are adding this to incorporate the Flag Lot Ordinance passed by the Town Council in 2007 into the Development Code.

Add:

d. Flag lots may be permitted as a conditional use in the R-1 and R-2 zones in certain areas of Francis Town along SR 32, SR 35 and Spring Hollow Lane. If the proposed flag lot is on SR 32 or 35, the applicant shall obtain approval from UDOT prior to receiving Town approval. No flag lots shall be allowed in any subdivision for which a plat has been recorded prior to the enactment of this ordinance or for which a plat is recorded on or after the date of this ordinance. . An allowed flag lot shall contain a driveway that enters and exits on a public road. The driveway shall be a minimum of 30 feet in width. The driveway shall be owned by the owner of the allowed flag lot which the driveway is used to access and shall be included as part of the lot and parcel description of the allowed flag lot. Only one lot may be created and accessed by such a driveway. The maximum length of the ‘pole’ shall be 400 feet, and all homes constructed on flag lots must be within 250 feet of a fire hydrant.

Gio Melendez asked if a flag lot was the same as a keyhole lot. Alison Weyher answered yes.

Opened to Public

Julie Gardner asked what a flag lot was. Alison Weyher explained it is a squarish parcel of land that is accessible only by a long narrow strip leading from a main road. You have these only in the older areas of Town not in newer areas.

Gio Melendez motioned to accept as amended. Dorothy Sullivan seconded the motion. Motion passed unanimously.

Tenth Item: Chapter 6 – new section for Minor Subdivisions

Alison Weyher stated the Fee and Rate Ordinance allows for Minor Subdivisions for four lots. This expedited process is geared to facilitate small subdivisions of existing property. While Minor Subdivisions were approved by Francis Town several years ago, language was never added to the Development Code. This language resolves that omission.

Proposed Language

A Minor Subdivision may contain four lots. Applicants for a minor subdivision approval are required to submit a Concept Plan in accordance with 6.11, and complete all other requirements of Chapter 6, with the exception that the Planning Commission may recommend that the Preliminary Plat be accepted as the Final Plat if it meets all requirements of a Final Plat.

Opened to Public

No public comment.

Dorothy Sullivan motioned to approve adding this new section to the Development Code. Gio Melendez seconded the motion. Motion passed unanimously.

Eleventh Item: 6.22.8 Signing and Recording of Final Plat

Alison Weyher stated this is also a housekeeping item.

The current language states: It shall be the responsibility of the developer's licensed title company to file the original mylar plat with the County Recorder within thirty (30) days of the date of signature.

Proposed Language

It shall be the responsibility of the Town Clerk to file the original mylar. Also, add that the recording fee shall be the responsibility of the developer.

Opened for Public Comment

Bruce Riches asked if there is a time limit for that to be done. Alison Weyher answered yes. 30 days after the Mayor signs it.

Dorothy Sullivan motioned to approve the change. Peter Swisher seconded the motioned. Motioned passed unanimously.

Twelfth Item: 8.3.4.5 Wetlands and Streams or River Corridors – Setbacks

Current Language states: Setbacks from Wetlands shall extend a minimum of one hundred (100) feet outward from the delineated wetland edge. Setbacks from stream corridors shall extend a minimum of one hundred feet outward from the ordinary high water mark. Setbacks from irrigation ditches shall extend a minimum of fifty (50) feet from the ordinary high water mark.

Proposed Language

Setbacks from Wetlands shall extend a minimum of 25 feet (25) outward from the delineated wetland edge. (Balance remains as is)

Alison Weyher added the Army Corps of Engineers require a twenty-five foot setback and that is an appropriate setback. The county has had 100 foot setback but has changed their setback to 40 feet. But as long as we are in agreement with the Army Corps of Engineers, we are OK.

Opened for Public Comment

No public comment.

Gio Melendez asked is there a reason why the County is more stringent. Alison Weyher answered probable because on the wetlands issue they are trying to preserve open space and protect the wetlands. They may have some wetlands around some streams and what we are finding here in Francis is many of our wetlands are irrigation induced and the Corps of Engineers requires you to deed restrict that land for perpetuity. But as the irrigation stops, the land dries out. The twenty-five feet is the Corps requirement. Gio Melendez asked why we would not want to preserve more open space.

Bill Crystal commented we do not need to protect more open space it is just another way to control someone's property. We need to protect the landowner's rights.

Dorothy Sullivan asked does this have to do with protecting the wetlands or making a house unlivable during a flood.

Alison Weyher explained if you have deed-restricted wetlands and the Army Corps has placed restrictions on the wetlands, that is essentially the property line, and you need a setback from that property line.

Gio Melendez asked if someone has a lot with wetlands on it, we are saying you cannot build closer than 100 feet. Alison Weyher explained if you have a wetlands engineer come out and do a delineation and then you take it to the Army Corps of Engineers and they approve that, they make you deed restrict those wetlands for ever and you cannot do anything with those wetlands. The Corps requires you do have a 25-foot setback. Alison Weyher recommended our code be the same as the Army Corps of Engineers. Alison Weyher added the old code of 100 feet could make some lots non-buildable. If there is a development where there are significant wetland and we are worried about the impact of the houses we may require building pads on those lots, so we can preserve those wetlands in that manner.

Bill Crystal motioned to approve the language for the setbacks for the wetlands. Setbacks from Wetlands shall extend a minimum of 25 feet outward from the delineated wetland edge, or further if required by Chapter 5 of the Francis Town Development Code. Peter Swisher seconded the motion. Motion passed. Voting in favor Bill Crystal, Peter Swisher, Dorothy Sullivan, and Susan Cann. Voting against Gio Melendez.

Gig Melendez explained he voted against because he feels the county has gone to the trouble of reducing their setback from wetlands to 40 feet and we should not reduce it any further.

Agenda Item Number Six: Discussion on Proposed Zoning Map

Maps were included in the Commissioners packet and copies of the map were passed out to the public.

Alison Weyher explained the existing zoning map deals only with property currently within the Town boundaries. All communities in Utah are required by State statute to define a proposed

annexation declaration area which serves as the potential boundary for the city. Areas within that area may be annexed into the city, or may develop as part of the county, subject to certain restrictions. The community is able to determine land use and zoning for all property within annexation declaration area. The attached map is the first draft of proposed zoning for areas within the Francis Town Annexation Declaration Area. It recognizes the principles espoused in the General Plan that the greatest density should be at the Town core, and that the further away from the Town center, the more rural the 'feel' should remain. It establishes an area for R-2 zoning preserves existing commercial zoning and recognizes proposed development. While not clear on the copies, it is proposed that all areas within the Town retain their current zoning, regardless of the proposed future zoning. In addition to guiding future development, the future-zoning map provides an indication of potential density and land use for those interested in annexing into Francis Town.

Alison Weyher stated she has had comments about taking the sections of the last row, furthest on the east side and making that more compatible with the county zoning, making it 1 unit per 40 acres or 1 unit per 100 acres.

Bill Crystal asked how can we discriminate against someone on the east side verses someone in the center part of Town. Alison Weyher answered one reason is topography, second reason the services are located in the center of Town so it is easier to provide services, the density works better there, if we get mass transit it will come to the center of Town but probable will not go up on the hill. To build a community you need that kind of density at the center of Town, you need a place where there are lots of people and you have some sort of critical mass to create a unity there.

Dorothy Sullivan asked once all of this is annexed in that is it. Alison Weyher answered yes, we cannot annex outside of these boundaries.

Alison Weyher explained we only do annexations when the property owner wants to annex into Town. They have to be adjacent to the current Town boundaries, and then they come to the Town Council with their petition to annex into the Town. The Town Council can vote to accept the petition for further consideration or they can deny it. If the Town Council accepts it, they can act on it or they can ignore it. If the Town Council chooses to act on it they look at the land, they work with staff and they work with the Planning Commission, they look at what can be done with the land. That is where a map like this comes in, we can say where your 100 acres is we see this as being more rural, as being 1 unit per 5 acres, and it was approved by the Town and is in the Master Plan. This is a way to keep a rural feel in the outline areas, keeping the density in Town.

Gio Melendez asked if the circles on the map are a guideline, asked if they could kind of meander. Alison Weyher answered yes. Gio Melendez asked if there was a distance that was used for the map or did it go to the outskirts. Alison Weyher explained in making the map she went to the outskirts where there was exciting R-1 and where there is proposed residential development. Alison Weyher added she tried to be in compliance as much as possible with the current zoning map.

Alison Weyher explained on the north where Francis abuts Kamas that is zoned 1 unit per 5 acres and Kamas has the same zoning so we will be consistent with each other.

Susan Cann asked if we would have any control on what happens on the west hills, west of Hallam Road. Bill Crystal answered that it was part of Wasatch County and he thought some lots had already been approved.

Kit Burton asked if the people north of Lambert Lane could annex into Kamas. Alison Weyher explained they are in the Towns annexation area, so the Town would have to give approval and they would have to work with Kamas and get their approval.

Dorothy Sullivan asked if at the next Planning Commission meeting are we going to have Public input on the zoning map and where can they get the information. Alison Weyher explained first the Planning Commission need to be OK with passing it then we will put it on the web site, and have maps available at the Town Hall and we will have a public hearing, we want input from the public.

Peter Swisher commented initially he likes it he thinks it is the right idea as long as we stick to it as we annex people in. We zone it and then stick to the zone.

Dorothy Sullivan commented we draw the line and say this is Francis and when it is full, it is full.

Susan Cann commented she would like to see us maintain the hill space; leave the hills as open as possible. We should not allow any more building on the hills that we have control over.

Alison Weyher stated that she and the Mayor have put together a list of properties for sale in Francis, in Wild Willow there are 41 lots, in River Bluffs there are 67 lots, and in Summer Haven there 12 lots, there are five other lots around Town in different locations. That is 125 lots for sale within the Francis Town boundaries and they are essentially ½-acre lots. Last year the Town even with the moratorium in place issued 17 building permits for new single-family homes, so far this year we have issued only four building permits. Therefore, we have a large number of available lots and not a whole lot of demand. We need to keep this in mind as we move forward.

Dorothy Sullivan suggests we study the map until next Planning meeting and put it first on the agenda next month.

Adjourn

Dorothy Sullivan motioned to adjourn. Peter Swisher seconded the motion. Motion passed unanimously. Meeting adjourned at 9:25.

These minutes were _____ approved as presented _____ approved as amended at
the meeting held June 25, 2008

Susan Cann, Chairman

Susan Moses, Secretary