

**Minutes of the FRANCIS TOWN Planning Commission Meeting and Public Hearing**

**May 28, 2008**

**Recreation Building 2319 Springhollow Road Francis, Utah**

The Francis Town Planning Commission convened in regular session Wednesday, May 28, 2008 in the Francis Town Recreation Building.

**PRESENT:**

Chair: Lorin Prescott  
Vice Chair: Susan Cann  
Commissioner: Sheldon Thompson  
Commissioner: Bill Crystal  
Commissioner: Peter Swisher  
Commissioner: Dorothy Sullivan  
Alternate: Hermenegildo Gio Melendez

City Planner: Alison Weyher  
Secretary: Susan Moses

**ABSENT:**

Commissioner: Joe Eiting

IN ATTENDANCE: Angel Johnson, Cortni Swisher, Kit Burton, Bruce Riches, Jared Jenson

**Opening:**

Chair Lorin Prescott called meeting to order at 7:00 pm.

**Agenda Item Number Two Introduction of New Planning Commissioners:**

Lorin Prescott asked the new Planning Commissioners to introduce themselves.

Peter Swisher stated he lives in Uinta Shadows, and he wants to give back to the community and this seemed like a good way to do that. He works for a software company in Park City, he manages a software support team, added he deals with many difficult situations and is good at it, and he thought he could bring that experience to the table.

Dorothy Sullivan stated she is a life long resident of Francis; she lives in the rural part of Frances on Gines Lane. With all of the changes happening in Frances, she feels she needs to get involved. She lives with her husband and is a nurse at the Heber Hospital, and she has nine children.

Geo Melendez stated he moved to Francis two years ago, he lives in Wild Willow. He is originally from up state New York in a rural area; he worked for a public utility company for 20 years. He was part of the planning department and a compliance officer for the utility company. He plans on living in Francis for a long time and is interested in trying to help maintain the integrity of the Town.

### **Approval of Minutes:**

*Susan Cann motioned to approve the minutes for April 24, 2008. Sheldon Thompson seconded the motion. Motion passed unanimously.*

### **Agenda Item Number Four: Angel Johnson Preschool, Public Hearing and Possible Approval**

Alison Weyher stated Angel Johnson submitted all of her material last month and we talked about it at our last meeting and some of the State requirements. Angel Johnson is here tonight. Alison Weyher added because Ms. Johnson is going to have 16 children that requires a state license, we have talked about the fact that the state has a lot more requirements and they do site visits, they require health department visits, they require a fire safety inspection, fire extinguishers, fenced yards. And because we are looking at preschool almost every month we might want to discuss with Ms. Johnson some of the requirement she is meeting and how she is going about meeting them, and see if this gives us any more clarity and resolution at what we want to require with pre-schools.

Lorin Prescott asked Angel Johnson where East Country lane was located. Ms. Johnson answered it is an unmarked lane south of the park.

Angel Johnson explained the state requirement for a preschool; they included a High School diploma, fenced yard, business license, safety inspection.

Peter Swisher asked if there were any requirement on how high the fence has to be. Ms. Johnson answered the fence has to be four feet high with the slats no more that 2 ½ inches, so the children cannot get their hands stuck.

Alison Weyher stated that in the commissioner's packet there is a copy of the fire safety inspection report, the information from the health department, as well as the other state requirements.

Dorothy Sullivan asked if we are differentiating between daycare and preschools. Alison Weyher answered no. The Development Code considers them daycare or pre-schools.

Susan Cann asked how many adults are required to be with 16 children. Ms. Johnson answered two adults.

Peter Swisher asked if this was the fully approved application or did she receive a certificate. Ms. Johnson answered she received a license.

Lorin Prescott asked if Angel Johnson had to meet all of the qualifications, and if the second adults had to meet all of the qualifications. Ms. Johnson answered she was the only one that had to meet all of the qualifications, that the second provider had to meet certain qualifications, but not all. Lorin Prescott asked if she had to apply with the state once a year. Ms. Johnson answered she had to renew her license once a year and that the state can come in once annually with an unannounced visit and then once to check to make sure you are in compliance with State regulations.

Dorothy Sullivan asked what the ages of the children are. Ms. Johnson answered she can have children 6 weeks to 12 years old. The children in her care now are ages 1 year to 9 years. Dorothy Sullivan asked if the child adult ratio differed with infants versus older children. Ms. Johnson answered one adult can only have three infants. Infants are considered 24 months and younger. I like to have more hands when we have more infants to help pack them around, and when that happens I have an on call person I bring in.

Peter Swisher asked if we need to review this every year to make sure her license is still in place. Lorin Prescott indicated that we could put that in her Conditional Use Permit if we chose to.

Alison Weyher stated that one of the things she was impressed with was the site plan Angel Johnson had. There is a parking lot for people off the road behind the house so the children are not on the street. In addition, a separate entry for the preschool is in the basement, in the back of the house. Ms. Johnson has two different rooms for the daycare and the preschool. This is more sophisticated than some of the other preschools we have looked at. This is what happens when you get to be a professional operation and when you meet the eight or more threshold that you are required to have state approval, this meets the state requirements; and as we move ahead on other preschools we should look at some of the state requirements such as fenced yards. Alison Weyher added it should be one of the items we talk about in the Development Code, do we want to require fenced yards for any kind of preschool and daycare where kids are going to be outside. The State also requires that kids be outside.

Dorothy Sullivan suggested that we consider the differences between daycare and preschools, preschools are usually three hours a day, two to three days a week, where daycare can be ten hours a day five days a week. The time they need to be outside would be different.

Lorin Prescott asked if the code distinguishes between daycare and a preschool.

Alison Weyher answered no and read from the code; “The home occupation shall not generate or exceed eight children at one time, associated with group childcare activities (eg. dance school, preschools, music classes, other care or instruction of children). That is a permitted use. A Conditional Use Permit would be any child day care home occupation that is expected to generate or exceed eight children at any one time.”

Susan Cann stated if they stay under eight children, they only have to get a business license. If they go over eight children then they have to come to the Planning Commission for a Conditional Use Permit.

### **Opened for Public Comment**

No public comments

Geo Melendez asked are we basing our rules on the State rules. Then we are going to give Ms Johnson a Conditional Use Permit for the more than eight children. Alison Weyher answered yes. Geo Melendez suggested having Ms. Johnson coming back every year after she gets here State license renewed.

Bill Crystal suggested that the applicant does not have to come back as long as she has a State license. As long as the State issues a license, we do not need to put any more conditions on the Conditional Use Permit.

Sheldon Thompson asked Ms. Johnson if she was going to have all sixteen children at a time. Ms. Johnson answered all at one time. Sheldon Thompson asked how many days a week Ms. Johnson would be teaching. Ms. Johnson answered Monday, Wednesday, Thursday is the preschool days, and she does not teach preschool in the summer.

Dorothy Sullivan commented that Angel Johnson has done her homework and she has an excellent layout, thinks this is a good thing for the community.

*Dorothy Sullivan motioned to approve the Conditional Use Permit for Angel Johnsons with the condition she maintains her State license. Peter Swisher seconded the motion. Motion passed unanimously.*

Alison Weyher gave an update: The LDS Church has recorded their plat last week and picked up their building permit today. River Bluffs recorded their plat last week, and the Town Council approved the amended land use agreement with Mr. Burton for the road across his property so we will get that signed. Both of those developments now have recorded plats and a

development agreement, which means the conditions we put on them are still in place. Alison Weyher added she has heard that Run-Away Estates is getting bids on doing its Infrastructure. Other wise we still have Bruce Riches, and Randy Butters has bought an easement so he has access to his development that UDOT is suppose to approve, but UDOT has not signed off on it yet. Therefore, until Bruce Riches and Randy Butters get UDOT approval we will not see them. Otherwise, we have a couple of meetings with people who are interested in annexing into Town. That will go to the Town Council first.

### **Agenda Item Number Five: Discussion of Proposed Review to the Planning Commission By-Laws**

Alison Weyher stated when we went back through all of the Development Codes and the Planning Commission By-Laws, and through the other applicable codes, we discovered we needed to amend the By-Laws. The Town Council discussed this in their May meeting and thought it was a good idea. However, in order for it to happen we need to have a public hearing and a discussion, we can discuss it tonight. It will be agenda next month for a public hearing. The goal was to have an alternate who could fill in when we have a vacancy, already tonight, Geo Melendez is here and Joe Eiting is not here.

Lorin Prescott asked if anyone had any thoughts, asked if no one liked the idea. Everyone liked the idea of an alternate. Next month we will vote on this issue.

### **Agenda Item Number Six: Discussion of Proposed Revision to Development Code**

Alison Weyher stated for the past year staff has been recording items in the Development Code that the Planning Commission has discussed modifying. In some instances, ordinances have been passed making those modifications. However, all need to be incorporated into the Code. Pursuant to Chapter 1.5 of the Development Code, amendments may be initiated by the Planning Commission, Town Council, applicant for development approval or general public. All amendments require a public hearing by the Planning Commission and a subsequent Public Hearing and approval by the Town Council. Thus, tonight will be a discussion only, and a Public Hearing on these amendments will be held at the June meeting. In addition to the items listed below, Commissioners may have other items to add to the June agenda.

#### **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.

Alison Weyher stated the Town is prohibited from selling water rights. We need to change that, no one had ever noticed that until Ace Allak saw it and thought he could buy water from the Town instead of on the open market. This was discussed at Town Council and they said no.  
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.

**Second Item: 3.12 Home/Premise Occupations**

Current Language

D. Qualifications

3. The home occupation shall not generate or exceed eight (8) children at one time, associated with group childcare activities (e.g. dance schools, preschools, music classes, other care or instruction of children). This number shall include the licensee's own children if they are under eight (8) years of age and are under the care of the licensee at the time the home occupation is conducted. This restriction shall not apply to those non-income producing child care activities (such as baby sitting cooperatives, baby sitting exchanges and informal instructional activities for preschool aged children) conducted within private residences.

All childcare facilities shall be permitted to provide outdoor playtime as required by Federal, State, County or local laws governing such business activity.

Proposed Language

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.

Reason

Adding this language to the Development Code formalizes the Planning Commission's policy of requiring play areas to be fenced.

Alison Weyher stated we had an applicant that thought this was an onerous provision. However, it is something we have required. We have said this is our policy and we are going to stick with it.

Peter Swisher recommended we find the verbiage on the requirements for the State on fencing and add it to the code. (fence 4 feet in height and slats no more than 2 1/2 inch opening)

Susan Cann believes we do not need to make a division between daycare and preschools because if they are on the road, the safety requirements should be the same, whether it is ten minutes outside or an hour; it only takes a minute to be hit by a car. Both should be required to have fencing. We could grandfather in pre-existing preschools that have not been required to have fencing.

Alison Weyher stated we would find out how many pre-schools are in Town so at next months meeting we can discuss it at the public hearing.

Bill Crystal expressed that he understands we have to have rules but he does not like to dictate what others have to do. If parents want a fence at a daycare, they should pick one that has a fence.

Geo Melendez commented that the State Law requires a fence.

Susan Cann stated we are going to Grandfather the ones in that are already at eight children.

Alison Weyher added from here on in, anyone obtaining a Conditional Use Permit for eight or more children would be required to fence in the play area. We are not requiring they fence in their entire yard, just the play area.

Dorothy Sullivan asked if the State Law requires a fence are we allowed to require anything less. Alison Weyher answered the State only regulates if it is sixteen or more children.

Alison Weyher added that if you have less than eight children you only need a business license. If you have more than seven children, you have to come to the Planning Commission and get a Conditional Use Permit. That is what we are discussing, that gap between eight children and sixteen children.

Peter Swisher asked if the Lawyer had been asked if the Town could be held liable if we provide a Conditional Use permit and do not require a fence and someone get hurt. Sheldon Thompson stated that last month we denied a Conditional Use Permit for a pre-school because the applicant did not want to put in a fence. Sheldon Thompson added that is a concern, if there is no fence, a child is hit by a car or bitten by a dog, and the Town could be dragged into it.

Dorothy asked if we could table this issue until we find out if the Town could be held liable. Alison Weyher answered yes. Lorin Prescott added this is just a discussion and not a Public hearing.

Lorin Prescott expressed weather or not the Town can be held liable, is immaterial; we need to look at the safety of the children period. We need to do all we can for the safety of the children.

***Third Item: 3.12 Home/Premise Occupations***

Current Language

E. Conditional Use Permit Required

G. Any home/premise occupation, which proposes to use or uses commercial-use vehicles in excess of one (1) ton.

Proposed Language

Any home/premise occupation, which proposes to use or uses more than one commercial-use vehicle in excess of one (1) ton.

Reason

Many pick-up trucks, tractors, etc. exceed one ton in weight. If a business has one truck that exceeds one ton, it should not require a Conditional Use Permit. If there is more than one truck associated with the business, then a Conditional Use Permit is appropriate.

Peter Swisher stated his initial thought was he was worried this might be taken advantage of, because now every yard can have one semi parked in front of it. Suggested we change it to two tons instead of one ton.

Susan Cann added as long as it is not superseding the Condition Use Permits of the subdivisions.

Alison Weyher clarified that the subdivisions have their own CC&Rs, which will regulate what you can and cannot have there. For example if your subdivision does not allow you to park a dump trucks in your driveway. The subdivisions are going to enforce the CC&Rs and will be more stringent than the Town will be.

Lorin Prescott commented the way it is written the Town allows a dump truck. Opinioned we need to fix that.

Sheldon Thompson commented we need to allow, unless the Town wants to have a parking area.

Geo Melendez commented almost everyone in Town would have to have a Conditional Uses Permit.

Bill Crystal asked if you were allowed to park on a public street.

Alison Weyher clarified that the Development Code requires a Conditional Uses Permit if, any home/premise occupation which proposes to use or uses commercial-use vehicles in excess of one (1) ton. Added if we do not have a problem with the way it is, then let's just leave it.

Dorothy Sullivan commented if the problem is covered by the subdivision CC&Rs, are we making unnecessary trouble for the rest of the Town.

Bill Crystal asked if the subdivisions CC&Rs are more restrictive than the Town code, does the CC&Rs prevail. Alison Weyher answered yes. Bill Crystal commented if someone had more than one, one-ton truck they would probable becoming to the Planning Commission to get a Conditional Uses Permit to run a business so there really is no problem.

The consensus was to leave it as it is.

#### **Fourth Item: 3.13 Height Provision**

Alison Weyher stated we approved the resolution as part as the LDS Church approval. We amended the Development Code to allow 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. Alison

Weyher added we have already done that this just moves it into the Development Code and makes it part of the code under 3.13.

**Fifth Item: 3.22 Standards for Approving a Storage Yard**

Alison Weyher explained this is more of a typing error.

Current Language

5. Off Street parking and landscaping shall be provided according to the standards of zoning section 3.27.

Proposed language:

5. Off Street parking and landscaping shall be provided according to the standards of zoning section 7.3.4.

Reason:

There is no Section 3.27 in the Development Code. Chapter 7 deals with Commercial Developments and 7.3.4 deals with Development Design, specifically landscaping and parking.

**Sixth Item: 4.2 The Planning Commission**

Alison Weyher stated that early we dealt with this item.

Current Language

There is hereby created the Town of Francis Planning Commission consisting of seven members appointed by the Council. The Planning Commission hereinafter referred to as the Planning Commission or Commission shall be organized and have the duties and responsibilities as indicated below.

Proposed language:

There is hereby created the Town of Francis Planning Commission consisting of seven members and one alternate appointed by the Council. The Planning Commission hereinafter referred to as the Planning Commission or Commission shall be organized and have the duties and responsibilities as indicated below.

Reason:

This will codify the changes proposed under the Bylaws.

**Seventh Item: Chapter 5 Zone Districts and Regulations**

Alison Weyher stated we are not changing the setbacks we are including a chart that will make it easy to identify setbacks in each zone. If they are on a corner lot, there are different setback requirement and you will have to go to the Development code for those.

**SETBACKS**

Zone	Front (From property line)	Side*	Rear
Agricultural, AG-1	30 ft	12 ft.	25 ft.

Residential, R-1	30 ft	12 ft.	25 ft.
Residential, R-2	25 ft	10 ft.	20 ft.
Residential, Ag. RA-1	35 ft.	12 ft.	30 ft.
Commercial, C-1	30 ft.	30 ft.	30 ft
Public Facilities, P-F	30 ft.	See code	20 ft.
Light Industrial LI-1	30 ft.	30 ft.	30 ft

\*See Development Code for corner lot setbacks

Bill Crystal asked if we had more than R-1, AG-1, and Public area. Alison Weyher answered yes. We have Agricultural, AG-1, Residential, R-1, Residential, R-2, Residential, Ag. RA-1, Commercial, C-1, Public Facilities, P-F, Light Industrial LI-1. Bill asked what R-2 is. Alison Weyher answered it is 10,000 square foot lot (duplex 15,000 square feet) for Townhomes, duplexes, and Condominiums. That is where we have allowed affordable housing. River Bluffs is in an R-2 zone. Alison Weyher explained that an R-1 only allows you to have two lots per acre. R-2 allows you to have a 10,000 square foot lot. Alison Weyher read from the Code. “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. The following characteristics uses of land are permitted in the R-2 Residential Zone: Single-family dwellings and manufactured homes, detached. Single-family dwellings, attached (owner occupied Duplexes, Condominiums, Town Homes). Residential accessory structures. Home Occupations. Parks, trails and other recreational facilities. Household pets (limited to three animals, more than three may be allowed as a conditional use). Alison Weyher added that the minimum lot size under 5.2.2.3 in the R-2 zone is 10,000 square feet that is a lot smaller than the 2 lots per acre.

Bill Crystal asked if we had many R-2 zones. Alison Weyher answered no and explained that we have an unofficial policy, which has been that any R-2 development, like the affordable housing in River Bluffs, like the Town Houses we have talked about would be a conditional use and would be based on a development agreement so we would have real strong requirements of the developer. We have talked about making sure the Town Homes would be owner occupied, and making sure, if we do any affordable housing that it is appropriately maintained and managed. Making sure, we have designed guidelines in place. Alison Weyher added that the Town is not going to change that, we are going to stay strong on top of that, but a verity of housing types is something we have talked about and think is a good idea and something we want to happen.

**Eighth Item: 5.2.1.1 and 5.2.3.1 Permitted Uses**

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 add appropriate details as recommended by the Planning Commission.

Alison Weyher stated this is domesticated farm animals and how many farm animals you can have. The way it appears in the code right now is a little subset under each of the residential zones. R-1 talks about how many points you can have. R-2 says you can have three household animals. RA-1 has the point system in it. Alison Weyher suggested in we move this to Chapter three instead of having it scattered through out the Code. Alison Weyher added the Mayor and others in the Town would like this cleared up because it is confusing. Because what the language says is, you can have typical domesticated farm animals, limited too 100 animal points per acre used exclusively for their care and feeding. Therefore, what people have taken that to mean is on a ½ acre you can have one horse because a horse is worth 40 points. It says exclusively for their care and feeding, so does that mean you take out the part of your yard where your house is. In reality, people tend to not have one horse they have two.

Bill Crystal asked what happens when some one builds an indoor arena and has 55 box stalls on his one acre. Are you going to tell him he cannot have 55 horses in this nice indoor arena and box stalls? Or if a farmer bring in his 100 head of cow for the winter that he is feeding, that he puts on the forest in the summer. We are stating to dictate some bodies life here pretty hard.

Lorin Prescott suggested we need to through this section out and start over.

Alison Weyher explained that an indoor arena or a farmer with livestock in all likelihood would be in an agriculture zone.

Bill Crystal disagreed, and stated everyone who has cows and lives on 1100 East or Gines Lane including himself live in a residential area. Bill Crystal added he wants to hold his cows on his land and feed them hay until June when he takes them to the forest and this code will not allow that.

Lorin Prescott commented this code mixes up the farmland and the homeowners and we need to fix that.

Kit Burton was asked how many horses where allowed per lot in Wild Willow. Mr. Burton answered not all lots are allowed horses, but they had designated horse lots which allowed 2 horses per lot.

Alison Weyher stated there are two different things that have created this language. The first one is there was a concern that some residence were not feeding there livestock hay, but who just

wanted big pastures so they could put their horses or cattle out in the pasture to feed off the land. The concern was you would need a large amount of land or the livestock would eat everything up and you would be left with a dust bowl. Second, the people were also concerned about having too many horses on smaller lots, because they thought they would eat up everything. Alison Weyher commented people who live in Wild Willow and have horses or anywhere in Town and have a ½ acre and have horses, are not feeding them on pasture, they are feeding them hay, most people these days really pay attention to what they are feeding their livestock and they have hay and all kinds of supplements. Alison Weyher added she did not think it was appropriate any longer to say you need as much land as your horse can eat. In addition, it is not appropriate on a lot smaller than ½ acre to allow livestock, if you lived in a subdivision, livestock would not be appropriate. Dorothy Sullivan asked if that would be covered by the neighborhood association rules. Alison Weyher answered it could be in some neighborhoods, but areas that do not have CC&Rs it could be a concern. Sheldon Thompson stated the problem is for example someone buys a piece of land next to Bill, and Bill has 500 head of beef on his feedlot, and the neighbor comes over and says you are allowed only three cows. You cannot run it like that; the neighbor bought the land knowing Bill had animals. Peter Swisher asked if we could put stipulations so it applies to lots less than an acre. Bill Crystal asked how can you tell a person on a ½ acre he cannot have a horse. Peter Swisher answered in that case this would apply and if you were on more than 1 acre, it would not apply. Dorothy Sullivan responded you are taking a lot of choice away from farmers and they are good stewards of the land, they are not going to over graze, they are going to water, you are taking away choices from people who do not live in subdivisions.

The Planning Commissioners agreed this section needs to be redone.

Lorin Prescott suggested we divide it into two pieces one area where the property is still mainly used for agriculture the other is subdivisions.

Alison Weyher asked the Planning Commission to send her any suggestions and she will make sense out of it and bring back next month to discuss.

Dorothy asked who would enforce the code. Alison Weyher answered the code enforcer officer, which is she.

### **Ninth Item 5.2.1.3 Lot Area, Density and Open Space**

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 calculated after the required easements and rights-of-way have been platted from the original acreage. 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.

Proposed language (add sentence which says)

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. That mean we get the two lots per acre.

Reason:

This is what the Town Council and the Planning Commission thought we had. This language will 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 was not the Commission or Council's intent.

Geo Melendez asked if this was saying no less than ½ acre. Alison Weyher explained you could have a lot that was 15,000 square feet and the other lot 27,000 square feet, you could have a verity of lot sizes, but the maximum number of lots average out to ½ acre.

Lorin Prescott asked if this included R-2. Alison Weyher answered no this is just R-1.

### **Tenth Item: 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.

Reason

Consistency between section 5.2.2 and 5.2.2.1.

Alison Weyher stated we need to clarify that permitted uses in the R-2 zone are single-family dwellings, attached. Owner occupied duplexes, condominiums, town homes. Alison Weyher added in one place it says only single family homes are allowed, and in the other place it says condominiums and town homes are allowed. We need to clarify that condominiums and town homes are allowed in the R-2 zone.

Dorothy Sullivan asked if we had many R-2 zones. Alison Weyher answered there is one in River Bluffs, which will have six single-family homes.

Bill Crystal asked how the R-2 zone came about. Alison Weyher answered the Town is required by the State to do affordable housing. We worked with the developers on River Bluffs and they

agreed to do six affordable housing units, they will be single-family homes on 10,000 square foot lots, and they have a contract that is part of their development agreement, they contract with Mountainlands Community Housing. Mountainlands is going to build the homes and Francis Town is involved in the selection process who is able to buy them, so we can stipulate that we want people who already lives within the Town, or police officers, school teachers, who ever. Mountainlands also has a maintenance contract on the homes to make sure they are appropriate maintained and they do not fall into neglect, they are deed restricted so they will be affordable to 80% of the medium income in Summit County in perpetuity. Therefore, they will always be affordable housing.

Bill Crystal asked if going to 10,000 square feet is what makes it affordable. Alison Weyher answered the lots will be smaller and the home size will be smaller, they may not have all of the amenities, they will be simpler. Bill Crystal asked if we are making it too hard on people to live in this valley by making them own ½-acre lots. Alison Weyher responded by asking what do you want your Town to look like. Bill Crystal answered the Town is looking a certain way weather we like it or not. On one hand, we want ½-acre lots and now we are allowing smaller lots. Alison Weyher replied we want a mix so now we are going to have both. In River Bluffs out along Hill Top, you have some lots that are horse property that are slightly over one acre. As you head further to the north, the center part, there is a community park over an acre. There are trails throughout the development. As you get further north, the lots that abut Wild Willow are very similar in size to the lots in Wild Willow. As you come closer to SR 33 that is where you have the six affordable housing units. The east sides of those affordable housing units are the boundary between Kit Burton's commercial development. Mr. Burton is talking about doing town homes and condominiums back there. Therefore, you will have mix residential uses in that one area. Alison Weyher opinioned that is a good thing and the further out you are the bigger the lots, but you are going to have a cluster of higher density housing.

Dorothy Sullivan opinioned that is a great way to do it. Many people who we rely on cannot afford to live here. Likes the idea of having R-2 where we have affordable housing, and multi family housing.

Geo Melendez remarked we need to help the people who work in Francis be able to afford to live here. As opposed to pushing everyone out of Town (like Park City) who cannot afford to live here by raising the prices. We do not need to take everybody in, but we do need to have diversity here in Town, that makes it a better place to live in general.

Alison Weyher stated there are people who enjoy living here but do not want a half-acre or an acre to maintain. There are a verity of reasons that go beyond just affordability that people our interested in town homes and condominiums.

Alison Weyher stated there are many changes that need to be made in the commercial section; she will keep working on those.

## **Adjourn**

*Sheldon Thompson motioned to adjourn. Susan Cann seconded the motion. Motioned passed unanimously. Meeting adjourned at 8:35.*

These minutes were     X     approved as presented \_\_\_\_\_ approved as amended at the meeting held June 25, 2008

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**Lorin Prescott, Chairman**

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**-Susan Moses, Secretary**