

Minutes of the FRANCIS TOWN Planning Commission Meeting and Public Hearing

February 25, 2009

Recreation Building 2319 South Springhollow Road Francis, Utah

The Francis Town Planning Commission convened in regular session Wednesday, February 25, 2009 in the Francis Town Recreation Building.

PRESENT:

Vice-Chair: Peter Swisher
Commissioner: Bill Crystal
Commissioner: Scott Buchanan
Commissioner: Dorothy Sullivan

City Planner: Alison Weyher

Secretary: Susan Moses

ABSENT:

Chair: Susan Cann
Commissioner: Gio Melendez
Commissioner: Sheldon Thompson

IN ATTENDANCE: Paul Watson, Rex Campbell, Cortni Swisher, Brad McNeil, Jeff McNeil, Kristi Major, Dade Rose, Richard Clark, Bruce Riches, Sherrie Christensen

Opening:

Vic-Chair Peter Swisher called meeting to order at 7:05 p.m.

Approval of Minutes:

Scott Buchanan motioned to approve the minutes for January 28, 2009. Dorothy Sullivan seconded the motion. Motion passed unanimously.

Dorothy Sullivan motioned to approve the minutes for the special meeting on February 5, 2009. Scott Buchanan seconded the motion. Motioned passed unanimously.

Agenda Item Number Three: 2007-2008 Annual Audited Financial Report

Alison Weyher stated we would not go through the financial report but if there were any question she would answer them. After Gene Moser came and talked to the Planning Commission it was decided that we wanted to know more about the financial status and dealings of the Town. Alison Weyher explained that the fiscal year goes from July 1st to June 30th. The Town is just beginning the process of preparing the budget for the next fiscal year, which starts on July 1, 2009 and runs through June 30, 2010. Added we are staying within the budget guidelines for this year.

Agenda Item Number Four: Public Hearing and Possible Approval of re-Zoning Parcel FT-94 from R-1 and AG to PF.

Alison Weyher stated that in August 2008, Francis Town purchased approximately 4.8 acres to the north of the existing Town Center. The property will be used for construction of a Town Hall, maintenance facilities, and future expansion needs. The property is presently zoned R-1 and AG. When purchased, the property contained a dilapidated shed and singlewide mobile home. The balance of the parcel was in greenbelt, and used for grazing. The Town has since demolished the home and shed, but intends to continue to lease the pasture for grazing. In order for the Town to further develop the property, they have requested that it be re-zoned PF – Public Facilities.

Alison stated that a special Planning Commission meeting was held on February 5, 2009 to approve plans for the Town shed. The plans were approved.

A Public Hearing has been properly noticed in the Summit County News and will be held this evening.

Alison Weyher reiterated that the property is a logical extension of the Town Center and will provide ample room for the Town to expand its municipal services. Re-zoning the land from R-1 and AG to Public Facilities is an appropriate zoning designation. Completion of the re-zone will allow the Town to continue its development plans to construct a maintenance facility and Town Hall at this location.

Opened for Public Comment

Kristi Major asked where the property was located. Alison Weyher showed on the map the location. North of the existing Town Center

Richard Cook asked what is the vision for the Town Center and the Town property. Asked if it would be utilized by retailers or by the city. Alison Weyher explained that the property would be used by the City, currently the Town is working on conceptual drawings for a Town Hall, for many years the Town offices have been housed in the little trailer next door, the Town has been carefully husbanding its funds so at some point and time they can build a Town Hall. The plan is to build the Town offices on the north side of the driveway, the driveway will be widened so it will be easier to get back to the arena; back towards the arena

there will be a maintenance facility for the snowplow and salt storage, then some additional parking and room for expansion.

Closed to Public

Dorothy Sullivan motioned to approve the zoning change of Parcel FT-94 from R-1 and AG to Public Facilities. Scott Buchanan seconded the motion. Motion passed unanimously.

Agenda Item Number Five: concept Plan Review of Uinta Willows proposed annexation with Public Hearing

Alison Weyher explained that last month we had a thorough discussion about this project. Added that the Summit County News failed to notice the Public Hearing for last month, however a Public Hearing has been properly noticed and will be held tonight. Alison Weyher reminded the Planning Commission that because we were in consensus agreement at the end of our meeting last month, and if you make a motion to approve this conceptual annexation plan, you can do that and forward it to the Town Council, however that does not guarantee annexation by the Town Council, who may choose to deny the petition for any reason.

Alison Weyher read the staff report for the benefit of the public. “Applicants propose to annex approximately 19 acres located at 1465 South Hallam Road into Francis Town to develop a 30 lot subdivision. This annexation application was previously submitted for further consideration to the Town in January 2007 and December 2007, where it was denied. It was accepted for further consideration at the July 2008 Town Council Meeting. A discussion on the initial Concept Plan was held at the October 2008 Planning Commission meeting. A revised concept plan was presented at the January 2009 Planning Commission meeting, however a Public Hearing was not held at that meeting. A Public Hearing has been properly noticed and will be held tonight.

The Francis Town Annexation Policy Plan requires that “The Planning Commission, upon referral from the Town Planner, may determine to hold a public hearing and thereafter make a recommendation on the annexation proposal, including any requested zoning designation to the Town Council”. It is important to note that the Planning Commission’s review of the annexation proposal in no way guarantees that the annexation will be approved by the Town Council.

This platted subdivision was recorded with Summit County as a five-lot subdivision in 1998. It was subsequently amended to divide an existing lot into two lots. Prior to annexation approval, a concept plan must be approved by the Planning Commission and recommended to the Town Council. This plan does not vest the applicant with any development rights or density, and he must still go through the entire approval process following annexation.

Showed on the map the location. Alison Weyher stated that the proposed annexation is bordered to the south and east by the Wild Willow subdivision; therefore, it is a logical

extension of the Town. The proposed main street “Birch Way” ties in with existing roads in Wild Willow, providing another point of ingress/egress into Wild Willow. A sewer line has already been installed along Birch Way, limiting the applicant’s ability to redesign the subdivision. The applicant has provided a map, signed by Hollis Jencks, U.S. Army Corps of Engineers, stating that “based on the information provided, a Department of the Army permit is not required”. Following the October, 2008 Concept Plan discussion, the applicant modified his plans and is now proposing a 22 lot subdivision, to be constructed in three phases.

A. Phase 1A contains thirteen lots abutting both sides of Birch Way. The average lot size is .42 acres, broken out as follows:

.50 acres	11
Less than .45 acres	2 (.25 acres, deed restricted affordable housing)

B. Phase 2 contains 7 lots. The average lot size is .94 acres

Lots one acre or larger	6
Lots less than 1 acre	1

C. Phase 1B contains two lots. They are exactly one acre each.

Two lots in Phase 1A are dedicated for affordable housing. These lots are each .25 acres in size (10,890), which means the minimum lot size for R-2 zoning of 10,000 square feet. At the January 2009 Planning Commission meeting the applicants were asked if the lots could be separated in the development. In keeping with the Planning Commission’s previous discussion, the lots abutting Birch Way will be zoned R-1 to match Wild Willow. The lots in Phase 2A and 1B are each approximately one acre, to form the transition to a more agricultural zone. The delineated wetlands have been incorporated into lots 203 and 206, providing ample room for building pads and pastures without encroachment. The Development Code prohibits cul de sacs longer than 600 feet in the R-1 zone and 1200 feet in the AG-1 Zone. It appears that the proposed cul de sac in Phase 2A is less than 600 feet. At the January 2009 meeting, the applicant agreed to limit basements in the development because of concerns over the high water table.

Staff believes that the applicants have made a good faith effort to comply with the direction they received from the Planning Commission at the October meeting. The 22 lots currently proposed include 12 half-acre lots, two affordable housing lots, and 8 lots that are a minimum of one acre in size. The applicant has also agreed to include trails around the periphery of the project and along Hallam Road. Staff is also mindful, that a positive recommendation from the Planning Commission does not guarantee annexation by the Town Council, who may choose to deny the petition for any reason.

Paul Watson stated that they switched affordable housing lot # 103 with lot #104 so the affordable housing would be separated.

Scott Buchanan commented that he appreciated the change that was made on the affordable housing lots, it looks good.

Dorothy Sullivan commented that the developers have done everything we asked, thinks it looks good.

Opened for Public Comment:

No public comment.

Bill Crystal commented if you look at the zoning you do not have a zone for lots smaller than ½-acre. Asked how can we allow lots smaller than ½-acre. Alison Weyher explained there are two lots less than 1/2acre and those are both R2 lots so they can be marked on the map as multi-family housing once they get deed restricted. Bill Crystal stated his concern is if we are trying to hold the ½-acre lot as the lot then why don't we hold it a ½-acre lot. Alison Weyher explained that we have, but also last fall we agreed that for deed restricted affordable housing you could have lots that were smaller than a ½-acre.

Peter Swisher asked if you pulled the two affordable housing lots out, would the average lot be ½ acre. Alison Weyher answered yes. Paul Watson added that everything else is a half acre or 1-acre lot.

Bill Crystal stated he understands the affordable housing, but he is concerned that we are opening the door for less than ½-acre lots. Peter Swisher responded that it is our requirement that they have affordable housing.

Alison Weyher explained that they also have to get a conditional use permit. We have requirement that we want 10 to 20 percent affordable housing depending on the size of the development, we will not allow more than that, it is in our code, so they can not come in and convert all of their ½-acre lots into ¼-acre lots. We also have restrictions, they have to deed restrict and transfer the title to an affordable housing entity to hold and manage those, so the developer cannot make much money on them. Therefore, it is not in the best financial interest to do a lot of affordable housing in this situation.

Dorothy Sullivan motioned that the Francis Town Planning Commission approves the proposed conceptual zoning plan for the Uinta Willows Annexation and forward it to the Town Council for their consideration. The Planning Commission understands that this approval is a recommendation only, and that the Town Council may choose to delay or deny the proposed annexation. Scott Buchanan seconded the motion. Motion passed unanimously.

Agenda Item Number Six: Continued Discussion and Public Hearing of the Proposed Zoning Districts Including density for Proposed Districts, Deferred Annexation Fees for Agricultural Annexations, and Growth Patterns

Alison Weyher commented that the map still needed a few changes from last month. Alison Weyher stated the Utah Municipal Code requires communities that have adopted Annexation Policy Plans to include a map of the proposed expansion area, and potential conceptual zoning of that area. Over the past six months, the Francis Town Planning Commission has

held several public hearings and discussions regarding conceptual zoning of areas indicated on the Annexation Declaration Area map. Tonight the Commission will hold an additional Public Hearing and possibly act to forward the proposed conceptual zoning plan to the Francis Town Council.

The Utah Municipal Code, 10-2-401.5, requires communities that have adopted Annexation Policy Plans to include a map of the proposed expansion area and specific criteria that will guide the municipality's decision whether or not to grant future annexation petitions. These State required criteria include: the character of the community; projected population growth over the next 20 years; the need to expand infrastructure over the next 20 years, including services and facilities; and the municipalities need for additional land suitable for residential, commercial and industrial development.

While Francis Town adopted its Annexation Policy Plan boundaries in approximately 1998, the Town never completed the process by including a map showing potential future conceptual zoning of land within this area. This is the next step in that process. It is important to note that the zoning proposed is strictly a proposal. As property is annexed into Francis Town, the owner of that property is able to discuss and modify the zoning as a condition of the annexation. Therefore, this document does not restrict a property owner's rights to propose a different zone to the Town Council at the time of annexation.

Furthermore, Utah State laws require that Towns annex property in a strictly regulated manner. The property must be contiguous to the Town boundaries. The property owners must agree to the annexation. The Town must be able to provide services to the area proposed to be annexed. And, finally, it is important to remember that this is a twenty-year conceptual plan, and will likely be changed as the General Plan is updated every two years.

Public Hearings have been held at the December and January Planning Commission meetings. An additional Public Hearing will be held this evening.

Identification and Analysis of Issues

1. There is no intent to change any existing zoning within Francis Town. All land currently zoned R1, R2, PF, or AG within the Town boundaries will retain that designation and the associated density.
2. All "proposed conceptual zoning" may be considered for modification when the property is annexed into Town or when it is developed.

Alison Weyher added we have people who have annexed property into Town or who are contemplating annexing property into Town, who want to keep it agricultural. For example, we dealt with Dixie and Eric Averett and they annex some property into Town but it is strictly agricultural, when that property is developed, they will apply to rezone it, they have not given up any development rights, or they have not given up the ability to ask for additional density, at this time they are keeping it as agricultural land and they are keeping it in the green belt. We are also talking with another landowner who also would like to annex his property into Town, he has about 70 acres, and he wants that to stay agriculture, he see advantages to being in the Town. We are working with the attorney on a way we can annex

property into Town as agriculture land, and the annexation fee would be deferred and determined when the property is developed as part of the development agreement.

Scott Buchanan asked what the current practice is. Alison Weyher answered as property is annexed into Town we have been charging annexation fees, primarily those fees are air marked for sewer expansion. In some instances, we have asked for other things instead of cash, for example Randy Butters with his development of Tifton Hills is required to put in a new Town well and water tank, also the sewer line from east of Foothill all the way down to SR32. He has 60 acres he can develop and an additional 120 acres he has to put into a conservation easement. The Utah State Code is very helpful when it comes to Towns, and that a Town is allowed to charge annexation fees to cover the cost of increased development. People who are already in Town should not be required to pay for the cost brought on by the additional developments, which is why we are allowed to charge annexation fees.

Alison Weyher continued to read from staff notes

3. The goals of the planning effort have been three fold
 - a. preserve the rural feel of Francis Town
 - b. insure a logical progression of growth to areas where the Town is able to provide services
 - c. allow for flexibility in future development
4. Property that is annexed into Francis Town, as agricultural land will be subject to an annexation agreement requiring annexation fees to be paid at the time the property is developed.

5. The current Town zoning districts and density are as follows:

Zoning Designation	Minimum Lot Size	Density
AG-1	1 acre	1 dwelling per five acres
R-1	15,000 sq. ft	2 lots per acre
R-2	10,000 sq.ft, which is a Conditional Use Permit	
RA-1	1 acre	1 lot per two acres
C-1	Not applicable	
L-1	Not applicable	
PF	Not applicable	

6. The proposed zoning districts are:

AG-1	1 unit per acre
R-1	2 units per acre
R-2	as determined by Conditional Use Permit
AG-5	1 unit per five acres
C-1	Not Applicable
L-1	Not Applicable
PF	Not Applicable

7. One of the original intents of this process, as recommended by the Town Council, was to have the Town's zoning density match the County density at the boundary of the annexation area and Summit County. However, Francis is bounded by the County's AG-100 zone and

the Agriculture Protection Zone (1 unit per 40 acres). Public comment has not supported density this low; in fact, many property owners have argued for higher density that 1 unit per 5 acres.

8. Under Summit County's current development code, if property in the AP zone is "a lawfully created lot of record that is not within a previously approved subdivision plat and is ten (10) acres or larger will be considered for one additional lot under the minor subdivision review process". Therefore, Summit County lots of record located within Francis Town's annexation boundaries may only be divided into two lots if the original lot of record is larger than ten acres, furthermore the property may only be divided into two lots without going through the County's minor subdivision process.

9. Discussion was held at the last Planning Commission meeting concerning the possibility of zoning the entire west side of Hallam road AG-5. Staff has researched lot sizes, and discovered that the average lot size is slightly less than 5 acres. Therefore, staff recommends that the potential future zoning remain AG-1.

Alison Weyher explained that we have two new things on the map that we have asked for. The dark blue lines are the existing major roads, and the lighter blue lines are the proposed roads. As we have seen in the past, those roads have the possibility of moving a little bit in the future.

Dorothy Sullivan asked if the white area north of Lambert Lane was proposed R-1. Alison Weyher answered that was one of the questions she had for Scott Kettle, she believed that we had zoned the intersection of Lambert Lane and SR32 as commercial along the front part.

Peter Swisher stated that last month it was in as R-1.

Alison Weyher stated that she had thought that intersection was zoned commercial.

Peter Swisher commented that it made sense to have it zoned commercial to match the other side.

Alison Weyher stated that we had also talked about the Uinta Willows proposed annexation, we have the R-1 part, and then rather than have the 1 unit per 5 acres it was going to be AG-1 which is 1 unit per acre, so that needs to be green on the map.

Bill Crystal commented that until that piece of ground is annexed into Town we cannot zone it commercial.

Alison Weyher answered that is right, this is conceptual future zoning this is what we would like to see there, this is what we think makes sense. If the property owner comes in and says he does not want to do commercial there, then we would reexamine the zoning at the time it is annexed into Town.

Bill Crystal asked do we want that in our district, knowing the water situation, and that being on the Weber Shingle Creek water, is that something that we really want.

Alison Weyher answered we have already annex Bruce Riches property into Town, so we have already crossed that bridge. Alison Weyher added one of the issues Bill is alluding to is the State Engineer is currently having some concerns with the fact that the Francis sewer ponds are located in the Weber Basin drainage. In the last two change applications for water that the Town has turned in the State has come back to the Town and said you have to turn in more water than one net acre share per lot into the Town well. What the Town has been requiring is one net acre-foot of water into the Town well of either Washinton or South Kamas water for each dwelling unit that is constructed. It is the opinion of the new State Engineer that because the Francis' sewer ponds drain into the Weber Basin we should not get any credit for return flow for any water into the Provo River. We get our water from the Provo river we use it some of it goes back into the ground, but the majority of the Town's culinary water ends up in the sewer treatment plant that drains into the Weber River Basin. It has 1 ½ times the amount of water that people are required to turn in for a building lot. The Washington and South Kamas irrigation companies have requested an opinion and a policy statement from Stan Roberts who is the Provo River Commissioner. He has agreed to issue that ruling by March 31, 2009. This is a huge change from the historic way we have measured water and it will make a difference and require a lot more water from developers. One of the things Bill is getting at is that water is getting more precious and the way it is monitored is getting more complicated.

Peter Swisher commented that this is already in our annexation declaration.

Alison Weyher added this was filed with the State in the late 1990s. Therefore, this is our annexation declaration.

Bill Crystal asked if we could re-file, he knows half of the landowners do not want to be annexed into Francis.

Alison Weyher explained we are not requiring them to be part of the Town. We are required by the State to have an annexation declaration, what we have done is have our annexation area be contiguous with the Kamas annexation area.

Bill Crystal commented he is concerned it will cost a lot of money for those people to annex into Town. Scott Buchanan replied that it will not cost the Town, added that the developers have to pay the cost.

Peter Swisher commented we have to consider this; we cannot ignore this sliver of land.

Alison Weyher stated some of this property may never be developed. until it is developed it is a moot point, so it is a buyer beware situation, it is up to who ever wants to develop that property to sort through the water issues.

Opened for Public Comment

Richard Cook – asked if the red line on the map was the Town boundaries. Peter Swisher answered yes.

Richard Cook commented it is not a circle growing out but a linear area around an all ready approved constructed surfaces. So anything outside that area, someone has made a call as to what would be a good zoning. Richard Cook asked if the Planning commission would consider changing the proposed zoning on his property that is proposed, AG-5 to R-1 to match what is zoned next to his property. Added that we have proposed zoning an area outside of the Town boundaries as R-1 directly a cross the street from his property.

Alison Weyher responded that is a mistake on the map, the property across the street from his should be zoned AG-1.

Richard Cook asked that the Planning Commission to consider changing the proposed zoning on his property, to change to yellow equal to the property next to him and green equal to the property next to his. Added he understands this is not permanent, this does not change your property rights, this is not something you cannot ask for something different later, but there is a precedent.

Richard Cook stated that from the 4-way stop sign to his property it is a little over one mile. Commented that having five or six different types of zoning in such a small area does not seem systematic, rather as the County keeps land and is the rural area, the Town by nature general provides services for a community that wants to be there, family oriented, children, continuation of posterity to remain in your community and have it be affordable for the area for those who are in the Town. That is what we would like you to consider for this property.

Dade Rose who owns the property with Richard Cook stated if you follow that line of development down 1000 east, there is a reason why that is all yellow (R-1). The fact that you do have more dense areas following the established arterials, and it makes sense to continue that in a reasonable fashion, so where we have the Town boundary to step immediately from a two units per acre to a one unit per five acre it is not a big transition, thinks it would make more sense to zone his property the same as the property next to his. (AG-1 &R-1). Added that he thinks it would function well for the Town as well.

Sherrie Christensen commented that she had been the Town Planner for seven years so she knows about how the boundary was created if you want her to answer any questions. Add she was here tonight representing a property owner over on South Willow Way. Commented the reason the annexation boundary was establish as large as it is, was done as a self defense mechanisms against the County and what the County may do in their zoning on your boundaries. Commented that the area (showed on map) that is flat makes the most sense for higher density zoning, it does not make sense to have high-density zoning in the hollow because she feels that needs to be protected and it will be a drainage and access nightmare. Showed on the map what she thought should be changed from proposed AG-1to R-1 and proposed AG-5 to AG-1 because she felt that was the most likely to be developed and the most important place to be developed because it is close to the existing infrastructure.

Alison Weyher asked Sherrie if she was representing Tim Woodard. Sherrie Christensen answered yes.

Bill Crystal stated that there is no gain on the R-1. Everyone always says the center of Town but Francis is a string Town that is the way we have set it up to be and we need to extend from the 330 feet to 660 feet. Showed on the map the folks that gave up their land for that road. We should not give any more R-1.

Dorothy Sullivan commented that anyone that has the AG-5 could come and ask to have it changed to a higher density. Dorothy would rather do it one at a time, rather than just blanket everything R-1. It is good to look at everything one by one, as it comes in. It has the ability to be made R-1 as needed or as requested.

Bill Crystal commented it is like a vested right if you do not have it now you will have to pay for it later. If you can go back and look you will see that the sewers were set up for this part of Town that was already here. Added he thinks the capacity for the sewer is set up for that ground.

Dorothy Sullivan stated that if we zone R-1 then we have double the amount of houses that can go in there on existing store of water.

Alison Weyher stated that one of the things that we talked about last month is balancing the desires of the people who have moved into Town and moved here because they want the rural lifestyle and they want the quasi agricultural feel of the community and that is why they paid what they paid for the property they have now, and that is why they are making investments on their property. So you are balancing those needs versus the people who have lived here for a long time who may want to sell their property who want to maximize the amount of return they can get on the property they already own. Those are two very different interests, so we had a long discussion about how you balance those visions and how you strike a balance.

Peter Swisher commented that it is give to one and take from another, no matter what you do; you will not make everyone happy. We have already made a statement that we are not making any changes to the zoning that is already within the Town. Added if you look at the boundary line on the north south road, that AG-1 was already zoned within the Town, so if we zone it like Mr. Cook and Mr. Rose have asked then we are going to have 330 feet of R-1, 330 feet of AG-1 and then the rest be R-1 again, so you are going to have those little strips of AG-1 that we will not have the ability to change.

Sherrie Christensen asked why we are not considering the future land use of the properties already in the Town boundaries. People are going to come to you and ask for a zone change. If you are leapfrogging to a ½ acre to an acre back to a half acre. Peter Swisher answered that is what we are trying to avoid.

Dorothy Sullivan commented she thinks it is a good idea to have AG-1 mixed in with the R-1, it give it a good feel , makes it feel more rural.

Sherrie Christensen asked if we had talked to any farmer. Commented that it is not functional to have 5-acre pieces in-between houses for haying. It depends on what your definition for rural is. Sherrie commented that what rural is to her, it is this whole valley, you have little Towns that have compact development surrounded by agricultural, the only way you reserve the real agricultural, the big parcels is by letting people develop in the Town at the appropriate densities, feels it doesn't make since to go from little to big back to little, because you are stretching out the infrastructure and that is a cost to the tax payers.

Dorothy Sullivan stated that landowners have had the chance to come for months and voice their opinion.

Richard Cook commented that what he has heard from Alison and the Planning Commission is that this is not binding. So what this represents is your vision for the future it represents a direction, you are planning not just tomorrow, but for the future. Added that there needs to be some logic in this planning, if there is not a reason why you are not changing the zoning already in Town then Mr. Cook suggest that we make some changes and reconsider some of the property in the Town for this visionary document, because it is not the zoning map, it is a vision, it is not a legal zoning map.

Peter Swisher stated that he would argue that statement, stated that we have to provide a proposed zoning for our annexation declaration, so this goes on file. It is a State requirement.

Richard Cook commented that he thinks it is a legal document but it is not our zoning map.

Peter Swisher answered yes it is, it is our proposed zoning map for our annexation declaration.

Alison Weyher added that it includes the zoning for the Town. It is the expanded map for the current zoning for the Town and the conceptual zoning for the annexation declaration area.

Dade Rose commented that a lot of Towns have a general plan or visionary plan where their zoning map is their current zoning map and then their general plan has a different zone on top of that, as what they expect it to be in the future sometime.

Sherrie Christensen explained that is because they have a property being held in a holding zone, they know that that property some day be a good zone for an industrial park, but the timing is not there, or the infrastructure, so they have it in a RA zone, or an AG zone as a holding zone until the time is right to rezone it. Added that I am confused, I am thinking this is a future land use map and you are dealing with all of the cities properties, which you are in your right to do.

Dade Rose commented that someone mentioned that people coming in and wanting to have the rural character, and there is that tension and I am sure it has been discussed, and you always worry a little bit about someone imposing on someone else's property. There is that tension there, where people really want to make it all rural, go pay for it, buy conservation easements or do something. Do not by legal fiat impose this on everybody in this valley.

Alison Weyher commented you were having a discussion on the little strip of white, to the east of the green strip, which is to the east of 1000 east.

Scott Buchanan answered yes, we were looking at the appropriateness which was discussed here at having R-1, AG-1, R-1, AG-5, AG-1.

Bill Crystal asked how can we possibly consider giving that property (outside of Town Boundaries) more density than a property that is already in the Town that you already have your water and sewer set in case for.

Alison Weyher asked if that should be AG-1, and just extend the green area.

Scott Buchanan commented that part of the discussion here is outside of the parameters of this discussion, and that is what is the appropriate zoning for what is already in the Town. That is not what we are discussing here, but the comments have been that we should be essentially planning for this AG-1 piece outside of the R-1 on 1000 east to be R-1 simply because in the future it will be R-1.

Bill Crystal commented lets plan for what is in the Town. As people want to annex into the Town then we can deal with density. If we are going to give any more density or grow the Town, you should already be within our Town limits. Those that want to annex into the Town are going to take up the sewer usage, you are not adding any capacity to the line that is already there. We need to look at the impact fees being a lot higher, because all you are doing is adding onto a line; you are not increasing a line, where Butters is up on the hill, he is putting a whole new line in.

Richard Cook responded if you go with that train of thought, than what you are saying is, that you want to annex people a far distance away that will bring a new line through, instead of the people right next to the line.

Bill Crystal answered no, I am saying we will deal with that as it annexes in. Right now, we need to deal with what is already in Town.

Richard Cook commented that he is next to the sewer line, the Town can provide the services right to his property, and we will not have to do what Butters did.

Dorothy Sullivan asked Mr. Cook what he wants to do with his piece of land. How many units do you want to put in?

Richard Cook answered they are working on that with a designer, and they would like to come back in a couple of months with a plan. Added they are looking at 11 units on about 20 acres.

Dorothy Sullivan asked Brad McNeil what he wanted to do with his property. Brad McNeil answered sell and develop some day.

Alison Weyher asked the Planning Commission if we have agreed to make the white space, which is just to the east of Dade and Richards's piece, which is Shane Bushell's piece behind Leland Call's place and all of that should be green (AG-1). Planning Commission agreed.

Alison Weyher asked are we also looking at the white rectangle, above Dorothy Sullivan's property green as well.

Bill Crystal responded he did not see how we could give someone outside the Town more density than someone already in the Town.

Planning Commission agreed the piece above Dorothy's property should be AG-5.

Alison Weyher stated we would bring this back next month with yet another iteration.

Dade Rose commented if we are going to have a Town then why don't we make a Town, instead of trying to being half agriculture and half in-between, make a Town and have the people live in the Town keep the Summit County area as the agriculture.

Bill Crystal responded agricultural will survive itself a little bit, because if you have a 5 acre parcel of ground you are in the green belt, it is going to coast you less, if you have less than 3 acres you will not get any CUP water. There are some built in cases. Added we still need to think about what is already in the Town. We need to decide density as people annex into Town.

Dade Rose commented that tonight we are talking about the proposed zoning for the future annexation areas, which would include his piece of property. Asked if the Planning Commission would consider zoning his property R-1 and AG-1 to match the zoning in the Town next to his property.

Scott Buchanan comment considering the fact that this is a zoning map, but it is still a vision, a plan, and that his understanding is that there are some challenges in building on Mr. Rose and Mr. Cooks property, like it is on a hillside, but regardless if the developer wants to build on it, the developer will have to bear the cost. Added he does not have a problem with continuing down the R-1 and the AG-1 the way we have it set up here, which is outside the Town currently and then as things change, or if it is not appropriate later we make those changes.

Alison Weyher asked so you want the front half of Mr. Rose and Mr. Cooks property to be R-1 and the back half to be AG-1. Scott Buchanan answered yes.

Bill Crystal commented that right now he would like to have it AG-1 and have them come in later and ask for higher density.

Alison Weyher stated that we have a pending annexation proposal for Mr. Rose and Mr. Cook that they are going to be bringing to us and they are going to be making recommendations to us as to how they want to develop their property. Added that obviously they would prefer it to be all zoned R-1 so they could have half-acre lots. As we have met before we talked about the notion of the AG-1, which was the one acre lots or two acre lots and then requiring them to match the R-1 in the front on 1000 East. In addition, they had talked about having their affordable housing units on 1000 East there and spreading back into their larger lots back on the bluff and then where the land starts to drop off that is going to have to be open space. We are still waiting to see their plans and to see how much developable land they have and the wetlands and they have sewer issues to work through, they have a very challenging parcel.

The Planning Commission came to the consensus to change Mr. Rose and Mr. Cook's property from proposed AG-5 to AG-1.

Alison Weyher marked on the map changes that the Planning Commission would like to make.

Scott Buchanan suggested the Planning Commission have a work session with the Town Council.

Alison Weyher commented that at the last Town Council meeting, the Town Council suggested that after the Planning Commission approves the recommendation on the zoning map there be a joint work session between the Planning Commission and Town Council to take about how the Planning Commission came up with their recommendations. Then the own Council will have their own hearings on the zoning map.

Scott Buchanan motioned to table until next month. Dorothy Sullivan seconded the motion. Motion passed unanimously.

Adjourn

Scott Buchanan motioned to adjourn. Bill Crystal seconded the motion. Motion passed unanimously.

Meeting adjourned at 9:05 pm

These minutes were ___X___ approved as presented. _____ approved as amended at the meeting held March 25, 2009.

Susan Cann, Chair

Susan Moses, Secretary

