

Minutes of the FRANCIS TOWN Planning Commission Meeting and Public Hearing

November 22, 2008

Recreation Building 2319 South Springhollow Road Francis Utah

The Francis town Planning Commission convened in regular session Saturday, November 22, 2008 in the Francis Town Recreation Building.

PRESENT:

Chair: Susan Cann
Vice Chair: Peter Swisher
Commissioner: Scott Buchanan
Commissioner: Gio Melendez
Commissioner: Bill Crystal

City Planner: Alison Weyher
City Engineer: Scott Kettle
Secretary: Susan Moses

ABSENT:

Commissioner: Dorothy Sullivan
Commissioner: Sheldon Thompson

IN ATTENDANCE:

Opening:

Chair Susan Cann called meeting to order at 9:05 am.

Approval of Minutes:

Peter Swisher motioned to approve the minutes for October 22, 2008. Scott Buchanan seconded the motion. Motioned passed unanimously.

Agenda Item Number Three – continued discussion and possible recommendation of zoning map.

Alison Weyher stated that we need to come up with a good plan that we are happy with, then put it on the web page, and next month hold a public hearing, and then pass it on to the Town Council.

Scott Kettle put up an aerial map of Francis, showed the wetland.

Alison Weyher stated as we look at zoning we need to pay attention to the wetlands. Showed on the map the location of Heart Ranch, Summit Heaven, Uinta Shadows, Bruce Riches property. Alison Weyher explained how you mitigate the wetlands. When you do off site mitigation, you are required to buy wetlands and enhance them at a two to one ratio.

Gio Melendez asked if it was a State or federal mandate. Alison Weyher answered federal, the Army Corps of Engineers.

Bill Crystal commented the farmers had rights before the Army Corps of Engineers was established; the whole valley was dry before the irrigation was put in.

Alison Weyher stated that the wetlands are designated based on three different elements, 1. The kind of soil, because over time the soil deteriorates or changes. 2. The kind of plants that grow there, which again take time to get going. 3. The presence of water. You have these different components that go together and it takes about fifty years before all of those conditions happen and then they become wetlands. The thing that is important is that some are higher value wetlands than others and some are irrigation induced.

Bill Crystal opinioned that all the wetlands were irrigation induced. Wetlands is just a tool to stop anybody from doing anything on their property.

Alison Weyher stated it is the law and we have to go along with it. It is not our law, it is not a County or State law, it is the Federal Governments law. Added that the other part of the wetlands is that some of the irrigation ditches are jurisdictional ditches.

Scott Kettle showed on the map the springs and the wetlands.

Susan Cann commented that we have to maintain the springs; you cannot let them dry up.

Gio Melendez asked if the Army Corps of Engineers have a time frame on reevaluation of wetlands or is it set. Scott Kettle answered when they do a delineation it is usually for 5 years. However, if it is wetland now they make you deed restrict it and keep it as wetlands and you have to maintain the wetlands. They look at all sorts of things has it been a wet year, or has it been a drought. They look at the history.

Scott Buchanan asked if we have a plan for open space. Is it our job to plan for open space?

Bill Crystal commented that the Town should buy its open space.

Alison Weyher stated there are three way to get open space. First, you can get it arbitrarily. Second, you can buy it. Third, is what we are doing. When you do zoning, you can have people cluster their developments, and you have them create open space in their development.

Alison Weyher stated that it is important to have a verity of housing type in a community, you need a community that has divinity, you want places for older people to live, places for young people just starting out to live, you do not want everyone living on a ½ acre lot, you do not want that kind of homogenization.

Bill Crystal responded you won't necessarily get that, but you will have it so more people can't afford to live hear. Added that we have to move the higher density farther back to let more people in.

Gio Melendez commented that the point is as a group we have to decide what is best for the Town. We need to decide what to zone the different areas.

Bill Crystal is concerned that as a group we are doing what we want, not looking at the old history of what the Town is, and what the Town was.

Gio Melendez responded that what it comes down to in the end when we have the public hearings, and if the people tell us we are way off base and that this is what the community wants then it is our duty to agree with what the Town wants. We can present our position and maybe convince some people, if they are only looking in a certain direction. However, the final say is still up to the Town itself. Added the process we have created is we will come up with some ideas, present it to the people, they will come back and tell us we are either crazy or it is a great idea, but it is a starting point.

Scott Buchanan added there is nothing that will happen here that is not ratified by the Town Council, which was voted in office by the people who live in this Town.

Bill Crystal is concerned that we are trying to do too much to fast, everything is a big push, nothing is happening with selling.

Susan Cann responded now is the best time to get the zoning map in place so when building starts up again we have the zoning map in place. Then if someone wants to come in we can say you can come in but this is what it is zoned at, so they can not come in and push as to do something we don't want, which has happened in some of the big projects, because we did not have it written down or specified enough to control what we wanted, what we want to avoid in the future is being told by the developers and the money that this is what we are going to do because you do not have it written out so we can do what we want.

Gio Melendez agreed now is the time to get the zoning map done. Added that if someone wants a zoning change, they can petition for that.

Scott Buchanan (showed on the map) asked if we are proposing R-2 except for what is below the is residential, or commercial, or what ever it is, so there is no way you can come in and say this new church, or is the church R-1. Alison Weyher answered that we changed the Development Code to make all multi-family housing a conditional use, so until we approve a condo project it is zoned for condos, there is the R-2 zone for smaller lots (15,000 sq. ft.) the only thing we have zone R-2 is that little piece in River Bluffs where they have 6 affordable housing units. Added that we worked out those lots, we worked out the agreement with Mountainlands, the deed restrictions, then rezoned it R-2.

Scott Buchanan asked what is the zoning around the church, Alison Weyher answered the blue is zoned public facilities, and the school district owns that property.

Alison Weyher asked Peter Swisher to walk us through the zoning map since the map was based on Peter's schematics,

Peter Swisher stated that he tried to go off what we had talked about, we had talked about moving out from the main corridors, and phasing into lower density. He considered the proposed RA as good as open space because you would have so few houses per square acre. Made an education guess on what made sense to go where.

Alison Weyher asked what the RA density was. Peter Swisher answered we had not decided but we did discuss one dwelling per 10 acres or something like that. The orange area on the map is as little density as possible; we need to decide what the definition of RA should be. Tried to make corridors of the agriculture as well, so we could try to retain that bit of Francis's history.

Gio Melendez commented that he likes the idea of keeping the commercial on that one strip on SR32, if we come around the corner and start heading east we are spreading out the Town Center.

Scott Buchanan asked about the little strip of AG-1 in the commercial zone. Peter Swisher answered it was part of what was already zoned.

Bill Crystal asked if we had any plans for future roads. Scott Kettle answered that once we have the zoning planned we can start planning roads, infrastructure, and things like that.

Bill Crystal commented he does not want to have condominium or town homes in the commercial zone.

Alison Weyher responded that the town homes Ace Allak has planned for part of his commercial property is tuck back behind the cemetery which is a good location for town homes, and that the commercial needs to be close to SR 32, so it is easy for the public to get in and out.

Scott Buchanan added that Ace Allak had said he thought the condos would help draw a C Store at the corner across the street in the commercial zone.

Gio Melendez commented that it is a catch 22 for the Town; we cannot get the commercial tax base unless we get the people, and if we get the people, we are draining the commercial tax base, so we need too attempt to bring the people in so we can bring the commercial in. We need to make the Town a place where people want to come to.

Alison Weyher suggested we look at what is our vision for Francis. In the General Plan, we have always talked about Francis as preserving the rural life style, preserving the small Town feel. Maybe we need to take it a step further; do we want it to be all agriculture? Do we want to have a verity of housing types? Added we do not want to be creating a Todd Hollow situation. We can control that.

Bill Crystal is concerned we cannot control that if we build condominiums, because one person can own all of them live in one and rent the rest out.

Geo Melendez responded right now we have no R-2 zoned, condominiums are a conditional use permit and we can say it has to be owner occupied.

Alison Weyher added we can say not section 8 housing. We can say we want our affordable units to be administered by Mountainlands or someone else; we can put those kinds of conditions on.

Geo Melendez added if we do not put those conditions down in writing it makes it easier for people to come in and do what ever they want. We need to be specific on how we want this Town to look.

Alison Weyher stated as people annex into the Town we can make conditions on their annexations, we can say you want to be part of our Town; we need you to do this and this. In the past, we have said we need money from you, or we have said we want a park as part of the open space. Added we can say we want contributions for schools or up grades on the roads, or a park.

Scott Buchanan asked what the concept plan was for Kit Burton's commercial property. Alison Weyher answered that was the Wild Willow mixed use with 24-foot wide streets with condominium and town homes in the back adjacent to Wild Willow, in the front it is mix use walkable community, with different kinds of retail.

Peter Swisher suggested we focus on the parts that are not zoned, and figure out what we are going to do today and not worry about the decisions made 10 years ago.

Bill Crystal asked how can we give one person something and not another person.

Alison Weyher answered the reason this is zoned commercial is these are the major roads in Town they are State roads and the State has to maintain them, this is where the traffic flow is, you want to keep the commercial, which generates the most traffic at a place that is ease to get to which you do not have to go through all of the residential neighborhoods to get to it To do spot zoning is illegal. It is going to take the next 20 years to fill up what we have zoned commercial.

Gio Melendez commented that in the future the zoning may be changed based on the growing needs. We need to set a base to go by. Like the proposed zoning map.

Scott Kettle stated when Wild Willow come in the Town did not have a plan; Wild Willow came in and made that development happen through attorneys. If we have a plan, a master plan, a zoning plan, if we have public hearings, go through the planning process, and say this is what we came up with, this is what the Town wants. Then it is set.

Susan Cann suggested we decide what we want to define the RA to be.

Gio Melendez asked what RA is usually defined as. Susan Cann answered one unit per 40 acres.

Peter Swisher suggested we make it less than one unit per 40 acres, to make it attractive.

Scott Buchanan asked what density is AG-1. Susan Cann answered one unit per acre.

Peter Swisher commented that RA is the only one we have a say on, everything else has been defined.

It was agreed upon to change some of the R1 to AG-1 and proposed RA to AG-1 so excising parcel are in one zone not two. (See changes on map) Also, change the zoning on the North West corner from AG to RA in keeping with the lower density further from the Town center. (See changes on map).

It was decided that the Planning Commission would hold a public hearing on December 17, 2008. A notice concerning a public hearing will be put on the December water bill. A copy of the proposed zoning map will be on the Town web site, also available at the Town office.

Gio Melendez motioned to have RA be designated as one unit per 10 acres. Peter Swisher seconded the motion. Voting in favor: Susan Cann, Peter Swisher, Gio Melendez, and Scott Buchanan. Voting against: Bill Crystal.

Alison Weyher read a letter from Mayor Bergen concerning the sewer. "Francis Town is of the opinion that the Town's current sewer capacity is adequate to handle the reasonable-anticipated needs of all existing residents as well as the needs of all developments that have received final approval from the Town. The recent economic downturn and slowing in the real estate market have eased much of the development pressure that the Town was experiencing last year. The current pace of infrastructure construction and building permit applications is such that the Town believes it will be able to meet all requests for sewer service as and when necessary. Furthermore, careful operation and monitoring of the Town's existing sewer system during 2008 has freed up additional capacity.

Francis Town officials and staff believe that the combination of remaining capacity in the existing sewer system, the current pace and schedule of projected applications for sewer connections coming on-line, and the planned improvements to the sewer facilities now in

progress will enable the Town to meet any and all required sewage treatment needs now and in the future.

The Town is, and will continue to be, prepared to receive, process and approve building permits applications as they are submitted, and to timely approve connection of the building to the sewer system.”

Adjourn

Peter Swisher motioned to adjourn. Gio Melendez seconded the motion. Motion passed unanimously. Meeting adjourned at 11:10 am.

These minutes were ___X___ approved as presented. _____ approved as amended at the meeting held December 17, 2008.

Susan Cann, Chair

Susan Moses, Secretary

