

Francis City Planning Commission Meeting

Thursday February 21, 2019 at 7:00PM

2319 South Spring Hollow Road

Francis, UT 84036

Present: Chair Trent Handsaker, Co-Chair Morgan Cox, Commissioner Lisa Khajavi, Commissioner Brian Henneuse, Commissioner Colette Madsen, Planner Ryan Robinson and Engineer Scott Kettle and Planning Secretary Susan Moses

Others Present: Bill Crystal, Jane Wilford, Renee Atkinson, Paul Watson, Dena Housel, Jaren Housel, Myra Housel, Kyle Housel, Lauren Berry, Nick Berry, Gene Atkinson, Viki Hanks, Mike Johnston, Paul Linford, Jill Leonard

Call meeting to order

Chair Handsaker called meeting to order at 7:01 p.m. Welcomed two new Planning Commissioners Brian Henneuse and Colette Madsen.

Final Hearing Frontier Acres

City Planner Robinson read staff report. Engineer Kettle read engineer report.

Commissioner Madsen asked the developers if they had spoken with Patti Larsen concerning the ditch. Paul Dunford explained they have tried to meet with Patti Larsen, she does not want the ditch to be move, we are trying to work it out. Dunford stated it is a private ditch and a private matter, and they will try and make it work, they understand the City wants then to resolve the issue.

Commissioner Madsen commented she would like the irrigation users to be able to access their water in a satisfactory manner.

Commissioner Cox commented the irrigation ditch was our only concern and that is why we tabled it. Asked the developers if they were willing to pay for moving the ditch or anything that needs to be done. Paul Dunford answered we have tried, it's not a matter of doing anything, she doesn't want anything done. It's a private matter, it's not a public ditch, it is a private ditch. We are trying hard to make it work.

Gene Atkinson commented if there is something that is holding up a project like this, the discussion between anybody should be private if it affects that. If it is important to be a lynch pin on this project, it should be public.

Commissioner Cox commented it sounds like all of the requirements have been met. If all of the requirements have been met, we should move it to the City Council.

Commissioner Madsen commented she would like some assurance from the developer that they have a responsibility to make sure that Patti Larsen gets her water in a satisfactory manner. Paul Dunford responded we have always stated that, she will get her water where it comes in now and it will be engineered, and it will be proper.

Commissioner Cox motioned to move onto City Council with the recommendations of Horrocks Engineering and that the ditch issue be resolved before final. Commissioner Khajavi seconded the motion. All voting in favor. Motioned Passed.

Concept Plan - Jean McNeil Acres Phase 3

Planner Robinson read staff report.

Engineer Kettle stated we have meet with their Engineer and talked with them about a couple of our concerns, they need to extend the road up through the Phase 2 subdivision, it bends and turns into a cul-de-sac, they will have to tie into that so they have access to the Foothill road. They need

to provide a temporary turn around on the west end, we also need to look at providing access to the south rather than a cul-de-sac, so we don't land lock the property that is behind it.

Chair Handsaker asked about the sewer. Engineer Kettle responded the sewer would be a low-pressure system, that they installed as part of Phase 2. These lots would pump up with individual pumping units at each house, they would pump up to the line and then run-down Foothill.

Chair Handsaker stated the future is to run this road all the way west and connect. Handsaker asked what happens in the future when it is a gravity system. Engineer Kettle answered we could run it out and tie their pumps into that.

Commissioner Madsen asked at whose cost. Engineer Kettle answered if that ever happens the property to the north would have to bring the sewer up. The homes would stay on pressure, because of the way the land slopes, we would have the pressure line tie into the gravity line.

Mike Johnston stated he is the Engineer on this project. Asked if they could talk about different options for the road and cul-de-sac Engineer Kettle answered we can.

Commissioner Madsen commented she would like to see the water companies brought in sooner rather than later. Mike Johnston responded they would do that before they come back.

Commissioner Henneuse commented about the trail. Asked if there was a master plan for a trail system. Mike Johnston responded the trail serves as a sidewalk, this is mastered plan to be a collector street in the future. Engineer Kettle stated there is not a trail on Foothill, but he believes in the master plan we have a trail going from Foothill to SR32.

Jill Leonard asked if the trail would be public. Mike Johnston answer yes.

Commissioner Cox asked if it was 100-foot paved frontage on each lot. Planner Robinson answered yes and 35 in the cul-de-sac.

Bill Crystal asked who would pay for the sewer pumps. Mike Johnston answered the homeowner.

Public Hearing - Code Text Amendment: Lighting

Planner Robinson read staff report.

Opened to Public

Gene Atkinson read a statement see attachment.

Renee Atkinson stated she lives on Spring Hollow Road and she agrees with Gene Atkinson. If we are going to start something, we need to start with the lighting on the rodeo grounds.

Dena Housel stated she lives on SR 32 next to a commercial property that has negatively impacted her property because of the lights there. Housel encouraged the Planning Commission to look at this issue.

Dena Housel asked Planner Robinson how this would be enforced if these changes were made. Planner Robinson answered the same as we do with any other code, you come in and fill out a complaint form. Robinson explained with the compliance part of this with the commercial, if we did do this, they would have up to 10 years to be in compliant, they would be grandfathered in under the old code. Dena Housel asked what our codes are now. Planner Robinson answered they are vague and not very specific in regard to lighting that is why we are doing this.

Commissioner Madsen asked if Dena Housel lived next to the storage units. Housel answered yes.

Commissioner Madsen commented this is something that went in fairly recent. Madsen commented we have no teeth to do anything about the negative impact on residence, just ask them very nicely. Planner Robinson responded as of now there is not a whole lot in the code.

Dena Housel commented the project with the storage units is currently they have asked for an advisory opinion from the Property Right Ombudsman. Housel explained the process she has taken. Housel encouraged the Planning Commission to make the codes very specific and if possible, a way they have to be enforced.

Planner Robinson explained the goal is to be very specific.

Collett Madsen asked if the storage units just said to bad so sad.

Engineer Kettle stated we need to keep the Public Hearing to the Code Text Amendment that are on rather than the storage units, this is not about the storage units this is about the code text amendment. This is being talked about with the Ombudsman and the City Attorney is working through this. We need to stick to the code text amendment that is in front of us.

Nick Berry stated he read the staff report and likes the idea of having a lighting plan, thinks it is a good idea, but the restriction. Berry commented there are different types of facilities, a gas station is going to need different light than a hospital, so if you are putting very specific restriction your are constraining everyone to what those restrictions are. Berry commented dark areas are not good areas in commercial facilities, they don't make you feel safe, that is where crime happen. Berry commented lighting is a necessary evil, you do need to have lighting in commercial. Commented about lighting in residential, about limits in height, and compliance. Berry stated when he first come to the Planning Commission everything was on the interior, fortress style and in order to make concession we took out the fortress style and so now the lighting is not self-contained. Berry commented he thinks the City Codes on the staff report are wrong, thinks

they are backwards. Berry stated as a commercial developer he thinks a Lighting Plan is good, but it needs to be specific to what is coming in.

Commissioner Henneuse commented he would appreciate something that is flexible but is set that you can follow that you know, and you don't feel like you are asked to change it.

Nick Berry responded it is impossible for him to go back and change or retrofit something that has been constructed and is occupied.

Dena Housel commented that developers come, and they build their projects and then they leave, and it is the residents who are left to deal with it. Housel added the stricter we can be to protect the residents the better.

Commissioner Khajavi asked if there could be differentiation between the zoning. Planner Robinson answered yes, and that is something we can discuss, some communities have different lighting plans for different zones.

Commissioner Henneuse commented about not setting something hard we set the principle and each individual case we evaluate the principle, but we follow under these guidelines. And the plans have to have teeth so we can enforce.

Commissioner Khajavi commented 5-10 years for compliance seems like such a long time. Asked if that was a proposed think or is that something Kanab is doing. Planner Robinson answered that is from Kanab they do theirs within 10 years.

Chair Handsaker commented if you have a big commercial complex like the storage units, that is a big expense to change all your lighting out.

There was discussion about time frame of compliance.

Jill Leonard moved from Kanab and encouraged the City to be an example, set the stage for success by taking care of the lights, the parking lot lights

around the City property, park and rodeo grounds. Thinks lighting ordinance is a good thing.

Gene Atkinson asked why the municipality is except from this. Chair Handsaker responded Planner Robinson looked at other municipality as a place to start, and this is just a start and we don't have to go with that.

Gene Atkinson asked if they would be willing to make the municipality subject to this. Planner Robinson responded that is a good point and that is why we have Public Hearing so stuff like this can be brought up.

Commissioner Henneuse pointed out there is nothing in the Staff Report indicating that the City would be exempt.

Gene Atkinson asked if we could put something in that would state the City is not exempt.

Commissioner Cox suggested we could add under Compliance that the City has a certain amount of time to bring their lighting in compliance.

Mike Johnston commented bravo for Francis for doing this know, you see how hard this is to go back, to do it now you don't have that many commercial buildings in Francis yet, so do it now and do it right, even residential it matters. You can change everything moving forward. Suggested using full cutoff lighting.

Jill Leonard suggested there is a way for the public to put pressure on commercial to comply.

Jane Wilford stated her concern is distinguishing between residential and agriculture. If you have animal, there is a need at night to be able to see well to take care of your livestock. Wilford stated they have a large halogen light on the back of their garage and one on the front of their barn and they light up the area around those when we are taking care of our animals.

Short discussion on lighting fixtures and bulbs

Closed to Public

Chair Handsaker motioned to table and work on it with City Council at the work session. Commissioner Khajavi seconded the motion. All Voting in favor. Motioned passed.

Code Text Amendment: Multi-family Housing

Planner Robinson read staff report

Chair Handsaker asked if on the floating zone we can turn down like we can on annexations. Engineer Kettle answered on a zone change you can turn down.

Chair Handsaker likes the floating zone.

Commissioner Khajavi asked what the cost of the process is. Planning Secretary Moses answered the application fee is \$250.

Shot discussion about different types of multi-family housing. Rental Units or owner occupied.

Planner Update

1. City Council approve Planning Commission By-Laws
2. 2 new Planning Commissioners
3. Hart Ranch Annexation Petition accepted
4. Stewart Ranches tabled for 30 days
5. Work session with City Council and Planning Commission on March 18, 2019 at 7 p.m.

Approval of Minutes January 10, 2019

Chair Handsaker motioned to approve the January 10, 2019 minutes. Commissioner Cox seconded the motion. All voting in favor. Motioned passed.

Adjourn

Commissioner Cox motioned to adjourn. Chair Handsaker seconded the motion. All voting in favor. Motioned passed. Adjourned at 8:30 pm

The content of the minutes is not intended, nor are they submitted as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.

These minutes were approved as presented. approved as amended at the meeting held on March 21, 2019.