

Francis City Planning Commission Meeting April 30, 2020

This meeting was held as an electronic meeting

Present: Chair Morgan Cox, Co-Chair Brian Henneuse, Commissioner Natalie Atkinson, Bob Murphy, Planner Mandy Crittenden, Engineer Scott Kettle, Secretary Susan Moses

Others Present: Mike Johnston, Larry & Eileen Finan, Korbie DeGray, Tom Ward, Jack Walkenhorst, Rusty Webster, Marion & Bob Wheaton,

Call Meeting to Order

Chair Cox call meeting at 7:05 p.m.

Public Hearings:

Jean McNeil Acres Phase 3- Final Subdivision Plan

Planner Crittenden read staff report

Chair Cox asked everyone if they are not speaking please mute your microphone.

Opened Public Hearing

Marion Wheaton asked if they have been granted or are asking for the ability to do accessory apartments. Rusty Webster answered no.

Marian Wheaton asked if a traffic study had been done on Foothill. Engineer Kettle answered because of the size of the subdivision, they did not have to do one.

Marion Wheaton asked if they would have the ability to do accessory apartments. Engineer Kettle stated yes, it is allowed in the R-H Zone, but they must get a Conditional Use Permit. Marian Wheaton strongly encouraged the Planning Commission to require a traffic study, the reason being there is no shoulder, it is a main route to the school campus, and it is heavily used for recreation for people who like to walk or ride their bikes. The road is narrow.

Commissioner Atkinson commented they are zoned as single-family lots. Asked if an accessory apartment whether that be for home office or for their teenager, whatever that is, the C.U.P. would dictate whether or not they could have one based on their circumstance. Planner Crittenden responded it is an allowed use with a C.U.P. Planner Crittenden stated the accessory dwellings code is the next

item on the agenda to discuss. Planner Crittenden stated she did not believe a traffic study would change the outcome of these 7 lots.

Discussion about accessory apartments.

Planner Crittenden asked Rusty Webster if they had CC&R's Rusty Webster answered no.

Commissioner Henneuse commented there is a planned future road on McNeil Lane going to SR32, which would have people exiting the other direction and not onto Foothill.

Discussion about the traffic on Foothill

Larry Finan stated he lives on Foothill Drive and he is a walker. He is concerned about the added traffic; he has had close calls with cars and has had to jump of the pavement into the mud there are no sidewalks and no other place to go. He has lived here 20 years and the traffic has increased, would like to see a shoulder or sidewalk.

Marian Wheaton commented we all know the traffic on Foothill is a problem, asked if we could put something in that they are not allowed to put in an accessory apartment. Chair Cox answered no and explained the only why is if the developer puts something in the CC& R's that no accessory apartments are allowed. The City Code allows accessory apartments in the R-H Zone if they meet the requirements of the C.U.P.

Marion Wheaton asked who does the CC&R's. Engineer Kettle responded the City does not require CC&R's that is up to the developer.

Mike Johnston commented the general rule of thumb is every new home in a development will create 1 trip of traffic in the peak hour, in the morning or evening commute. Foothills traffic problem is not generated by the people living on Foothill, it is a cut through. Johnston stated they are doing the first section of trail along 1700 South, someday when 1700 South goes all the way through to the highway it will take some of the traffic off Foothill Drive. Johnston commented that making Foothill wider will not carry more traffic it will just speed it up.

Larry Finan commented growth is inevitable but does not want to see our community become too crowded.

Marion Wheaton commented that in the County they say that for every home there is at least 2 cars.

Mike Johnston clarified he was taking about the peak hour, not the total trips per day.

Closed Public Hearing

Engineer Kettle gave the Engineer report.

Chair Cox asked about the storm drain water and if they cannot get permission to release that into the irrigation ditches, are they going to have room to have a detention basin on site. Engineer Kettle explained currently they must build some detention basins; they cannot throw it all into the irrigation ditches at once they have to detain it and release it at the historical rate. They are building detention basins and if they cannot discharge then the detention basins will get bigger so they can be detention basins. They are going to be easements on the lots, it will decrease some of the lot sizes.

Mike Johnston stated he has been working with the Engineer of South Kamas Irrigation. They are holding most of the water on site, anything over the 25-year 24-hour storm is getting slowly released back to the ditch. Most years there will not be any water released into the ditch.

Rusty Webster added they are double checking the Geotech report to verify that.

Marion Wheaton asked if there is mapping that someone can come in and look at because she has property within 600 feet, and they were not notified of phase 3. Want to make sure their property is not impacted, and they have the ability to get their irrigation water. Engineer Kettle explained they are not impeding any of the irrigation ditches, the irrigation ditch runs on the north side of the proposed road, so that is not going to change, there is an irrigation ditch on the west side of the property and that is planned to be left opened, when the road gets extended to the west the ditch will be converted, they are installing a covert so we can have a turn around right now.

Engineer Kettle asked if the map is on the website. Planner Crittenden answered the staff report, the map, the application is all on the City website. The only thing not on the website is the Engineer report.

Commissioner Henneuse asked if the temporary cul-de-sac on the west end of McNeil Lane will remain in place until the McNeil Lane continues to SR32. Engineer Kettle explained there are two temporary cul-de-sacs, also one that heads south on McNeil Way, both will have to remain in place until the road is extended. There will be a note on the plat.

Chair Cox motioned to forward to City Council, that the recommendations from Horrocks Engineering be met, and that the meeting with the ditch company gets final answers on the storm drain and are met before final approval.

Commissioner Atkinson seconded the motion. All Voting in favor. Motion Passed.

Accessory Dwellings - Code Amendment

Planner Crittenden read staff report

Commissioner Henneuse asked if we could put a traffic study on as a condition of the conditional use permit. Concerned that everyone in a subdivision could potentially have an accessory apartment.

Commissioner Atkinson feels strongly about deterring multi-family housing in subdivisions.

Commissioner Henneuse suggest that we have some type of ability to restrict accessory apartments and not just defer to CC& R's

Planner Crittenden stated the City Code states the zone is intended for a single-family residential lot. So, to allow a secondary dwelling of any kind defeats the purpose. Commissioner Henneuse agreed.

Commissioner Atkinson commented weren't we discussing the notion that we were going to create a section of Francis that would encourage multi use, we could provide some added housing components for people who need housing and can't afford a single-family home. Commissioner Atkinson also commented with accessory apartments we are adding people, animals, and cars to the neighborhoods, much more than it was intended for. It can double the population in a neighborhood.

Commissioner Henneuse asked when we talk about residential-half (R-H) it is for single family, unless the CC&R's bars it, if you meet the requirements of an accessory unit, you can rent that space out correct. Planner Crittenden answered yes.

Commissioner Atkinson commented in the case where there are no CC&R's in various new projects right now, in theory it could double the population if everyone can rent out their accessory apartments.

Commissioner Henneuse asked if we can make the Conditional Use Permit not approved upon just meeting the requirements, but something the commission would have to evaluate.

Opened to Public

Rusty Webster commented as a builder, he tries to talk people out of putting in a basement in Francis because of the water table. The cost of a building permit to finish a basement is about \$2,600 on an average house, 3 bedrooms, as many bathrooms, a kitchen, there is nothing that stops you from finishing a basement any way that you want. Now it is a rentable piece of property, that is worth a lot of money. The problem with accessory apartment, they are only 1000 square feet, you can only fit 1 bedroom, 1 bathroom, one kitchen. We are punishing people who are limiting to 1,000 square feet and we are not punishing anyone who finishes a 3,000 square foot basement. Webster thinks it should cost more to finish a basement than a 1,000 square feet accessory apartment.

Marion Wheaton commented for the benefit of the City and all the residence, it makes sense to identify areas where accessory apartments are allowed. CC&R's are not enforced by the City. Homeowners associations have to decide whether or not they want to spend the money to hire an attorney and file a lawsuit. CC&R's are not necessarily going to prevent changes to an area.

Commissioner Atkinson commented she does not have a problem with the building of an accessory apartment, or finishes a basement, but it is what they do with it, we should not allow them to rent it out because then it becomes multi-family housing. It is not the building of the structure but what you do with it.

Commissioner Henneuse asked what our goal is, is our goal you cannot rent, is our goal that it is single family, then is it an absolute, or is it somewhere in-between, do we allow Air-B&B, do we allow any use.

Commissioner Murphy asked if those issues could be in CC&R's compliances.

Commissioner Henneuse commented there just is not much teeth to it. As a Commission, are we saying we want to make sure we regulate that, we put it into

something now rather than default to CC&R's, because there are issues with the enforceability of the CC&R's

Rusty Webster commented we should not pick on the 1000 square feet accessory apartments, basement apartments impact far more, they can be bigger and not pay impact fees or have separate water and sewer lines.

Discussion about basement apartment and accessory apartments above a garage.

Discussion about not allowing rentals in R-H zone

Chair Cox motioned to table the accessory dwelling discussion until Planner Crittenden has an opportunity to go through what we discussed and discuss it with the City Attorney. Commissioner Atkinson seconded the motion. All voting in favor. Motioned passed.

Commissioner Atkinson was excused at 9:06 p.m.

Moderate Income Housing – Code Amendment

Chair Cox read staff report.

Opened Public Hearing

No Comments

Close Public Hearing

Commissioner Henneuse express concerns about 17.55.050 Process #1. Who does it fall to, to enforce?

Engineer Kettle responded that is something we should look into and we should talk to the City Attorney about.

Rusty Webster commented decreasing the size of a lot, decrease the cost.

Rusty Webster suggested talking to Mountainlands about moderate income housing and talking with Scott Lummus.

Engineer Kettle commented we could talk to Scott Lummus about how to enforce keeping a home moderate income.

Commissioner Henneuse sent an email to Planner Crittenden, it is an article about affordable housing.

Discussion about affordable housing

Suggestions:

17.55.040. Residential Development

1. # 1 Clarify - Applying density bonuses
2. # 2b change 80% to ratably (capable of being rated, estimated or apportioned)

Chair Cox motioned to table the discussion on Moderate Income Housing. Commissioner Henneuse seconded the motion. All voting in favor. Motion passed

Planner Update

No update

Approval of March 19, 2020 & April 16, 2020 minutes

Commissioner Henneuse motioned to approve the minutes of April 16, 2020. Commissioner Murphy seconded to motion. All voting in favor. Motioned Passed.

Commissioner Murphy motioned to approve the minutes of March 19, 2020. Chair Cox seconded to motion. All voting in favor. Motioned Passed.

Adjourn

Chair Cox adjourned the meeting at 10:20 p.m.

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 X approved as presented. approved as amended at the meeting held on May 21, 2020