

Staff Report

To: Francis City Planning Commission

From: Ryan Robinson

Report Date: 8/6/18

Meeting Date: 8/16/18

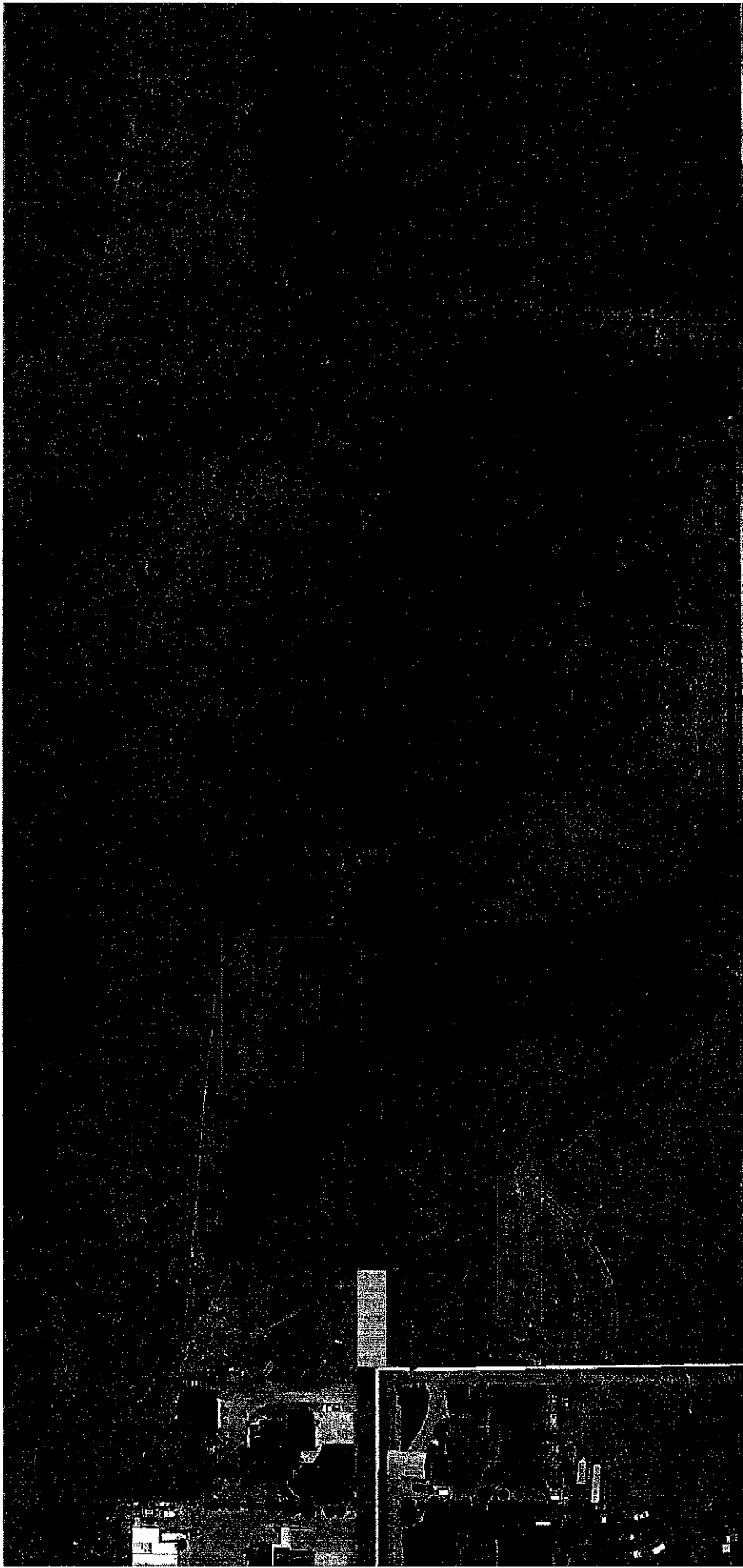
Title: HH Acres

Type of Item: Concept Minor Subdivision

Description: The City has received a concept application to build a single-family home, a garage and a barn on the given property on behalf of Ms. Katherine Beals by Dave Robinson who has submitted the required information for a concept application. The property is located at 200 East Country Lane, Parcel FT-2088-B totaling 12.33 acres. The property is currently zoned residential half (RH) although the applicant intends to build only one home, requirements for setbacks, height of the house, and other requirements for a (RH) will need to be followed as defined by city code. Because the proposed house is several hundred feet from the current asphalt road, the applicant intends to have a gravel drive way 20' wide to her home. (see attached map) The Standard requirements for fire hydrant, fire access and road width will need to be followed.

Community Review: No public hearing is required at this time.

Staff Recommendation: City code states 17.15.050 There is no approval of the concept plan required or given. However, the Planning Commission may grant the applicant the right to move forward with authorization to prepare and submit a preliminary plan with any changes or additions deemed necessary and following city code.



Google earth

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feet
meters

1000
300



Staff Report

To: Francis City Planning Commission
From: Ryan Robinson
Report Date: August 7th, 2018
Meeting Date: August 16th, 2018
Title: Summit Haven Phase 2
Type of Item: Concept Plan Minor Subdivision

Description: Francis City has received a concept application for a subdivision located on the corner of South Hallam Road and West Summit Haven Drive Parcel Number FT-2017-B. The total property size is 3.01 acres and is zoned residential half (RH). The plan is to create a minor subdivision totaling 4 lots, adjacent to the existing 12 lots known as Summit Haven. These 4 lots will have the same structural design as in Summit Haven. Jeff Jacobson has submitted the required information for a concept application in behalf of the owner Craig Bennett.

The proposed 4 lots will be facing West Summit Drive, each lot ranging in size from .57, .81, .83, and .91 acres meeting the lot size and frontage requirements for a residential half zone. A wetland study was done in 2006 and 1997 for the Summit Haven Subdivision which included this property. The study did not find any wetlands on the property. The standard requirements for public utilities, irrigation company approval and water shares to be turned into the City will be a requirement.

Community Review: No Public Hearing is required at this time.

Staff Recommendation: City code states 17.15.050 There is no approval of the concept plan required or given. However, the Planning Commission may grant the applicant the right to move forward with authorization to prepare and submit a preliminary plan with any changes or additions deemed necessary and following city code.

Staff Report

To: Francis City Planning Commission

From: Ryan Robinson

Report Date: August 7th, 2018

Meeting Date: August 16th, 2018

Title: Conservation Subdivision Ordinance

Type of Item: Code Text Amendment

Executive Summary:

Francis City is currently being flooded with growth, in order to preserve open space for the future, planning is required at this time. The Conservation Subdivision will be an option that developers can receive their full building rights and yet preserve open space. The Ordinance outlines how the lots can be varying sizes and clustered together leaving 30%-60% of land in open space. By clustering homes, it cuts down on costly infrastructure, allows flexibility in lot size, which could be attractive to home builders and allow for a portion of the project to be developed in townhomes for affordable housing. This would also preserve the open space to keep the rural atmosphere in Francis. Please review the attached ordinance for more details.

Community Review: A public hearing is required and encouraged.

Staff Recommendation: Review Conservation Subdivision Ordinance and make recommendation to City Council for further deliberation and possible approval.

Draft 17.60 Conservation Subdivision

- 17.60.05 Definition
- 17.60.10 Purpose
- 17.60.15 Applicability
- 17.60.20 Process
- 17.60.25 Dimensional Standards
- 17.60.30 Development Options
- 17.60.35 Design Standards
- 17.60.40 Use Regulations
- 17.60.45 Conservation Land and Design Standards
- 17.60.50 Permanent Protection of Conservation Lands
- 17.60.55 Ownership of Conservation Lands
- 17.60.60 Maintenance of Conservation Lands

17.60.05 Definition:

Conservation subdivisions (CSDs) are subdivisions that preserve 30 to 60 percent of undivided, buildable tracts of land as communal open space for residents. Land to be conserved is first identified and buildable lots are identified after the open space requirements are met.

The permitted maximum density allowed in a development that is subject to the open space requirements of this section shall be calculated by dividing the total density-qualifying acreage of the project by the minimum lot size requirement of the zone in which the development is located and then adding any density additions or bonuses allowed by this title.

Open Space is defined as a portion of a development site that is permanently set aside for public or private use and that will not be developed or sold to individuals' owners. It must be a min. of 100 ft. wide.

- a) Open space shall not be satisfied by any areas contained within a designated building lot, P.U.E., land proposed to be devoted to vehicular streets or roads, parking, and drives.
- b) Entry features such as roundabouts, median planter strips, fountains, etc. may count as open space if the design of such feature is recommended by the Planning Commission and approved by the City Council.
- c) Open Space is required along major collector roads and to give a buffer to development.
- d) Sensitive lands, as defined elsewhere in this Title, may be counted as open space, provided the lands also satisfy the other characteristics of open space set forth herein and shall be protected by the proposed development agreement.
- e) Development alterations of any sensitive lands shall be prohibited except as allowed and defined elsewhere in this title.
- f) Open space shall be planned and designed to encourage and promote its proper use, care and ongoing maintenance. Specifics of vegetation, landscaping, amenities, improvements, recreational facilities, etc. within the open space shall be proposed by the applicant, approved by the Planning Commission and City Council, and then set forth in detail in the development agreement for the project.

17.60.10 Purpose

The purpose of this Chapter is to:

1. Encourage the preservation of open land for its scenic beauty and to enhance open space, forestry, agricultural and recreational use.
2. Provide for a diversity of lot sizes, building densities, and housing choices to accommodate a variety of age and income groups, and residential preferences.
3. Provide greater design flexibility and efficiency in the siting of services and infrastructure, including the opportunity to reduce the length of roads, utility easements, and the amount of paving required for residential development.
4. Encourage innovation and promote flexibility, economy and ingenuity in development.
5. Preserve the natural environment, including those areas containing natural features such as meadows, streams, farmland, wildlife corridors and/or habitat, historical buildings and/or sites, and open space.
6. Protect areas of Francis City with productive agricultural land by conserving blocks of land large enough to allow for viable farm operations.
7. Protect sensitive lands, including those areas containing sensitive and undevelopable features such as steep slopes, floodplains and wetlands.

17.60.15 Applicability

The option to develop property as a Conservation Subdivision is voluntary and provided to developers as an alternative to the development of property pursuant to other provisions of this Land Use Ordinance. The intent of this Chapter is to encourage the creation and development of flexibly-designed open space subdivisions. Conservation Subdivisions may be developed within the Agricultural AG-2, AG-1 and R-H zones. Conservation Subdivisions shall be developed in accordance with and subject to the development standards, conditions, procedures and regulations of this Chapter and the General Design Standards for Subdivisions as contained in FCC Title 17 and with all other applicable subdivision ordinances and zoning regulations of Francis City.

17.60.20 Process

Applications for a Conservation Subdivision shall be submitted and processed in accordance with the requirements and procedures set forth in FCC Title 17 (Subdivisions) of this Land Use Ordinance, including submission and approval of concept, preliminary and final plans and any additional procedural requirements set forth in this Chapter. Including, but not limited to submission of a Subdivision Yield Plan, and development agreement.

A Subdivision Yield Plan would exhibit the base density allowed in the underlying zone. Open space will account for any area that is deemed as wetlands, irrigation ditches, waterways, flood plains and steep slopes. Each application for a Conservation Subdivision shall demonstrate that these four design steps were followed by their site designers in determining the layout of their proposed streets, home sites, and open space.

1. Designation of Open Space and Conservation Areas (Primary and Secondary):

- Primary conservation areas may include bodies of water, easements, floodplains, steep slopes, soils, waterways, wetlands, wooded areas, etc.
- Secondary conservation areas may include buffers, historic components, landmarks, prime views, public vistas, etc. as determined by the Planning Commission and City Council.

2. Location of Building Sites: Home sites should be clustered and located not closer than 50 feet to wetland areas.
3. Street and Lot Layout: Alignment of proposed streets should provide vehicular access to each house in the most reasonable and economical way. When lots and access streets are laid out, they shall be in a way that avoids or minimizes adverse impacts on open space.
4. Lot Lines: These are generally drawn midway between house locations.

17.60.25 Dimensional Standards

Density: The permitted density for development within a Conservation Subdivision shall be determined in accordance with the Development Incentive Chart below. The percentage increase noted as the “multiplier” in the chart are percentage increases from the base density identified in the approved Subdivision Yield Plan for the proposed development.

As an incentive to provide moderate-income housing, multi-family housing townhomes will be allowed at 25% of the total development. Moderate Income is defined as 80% of the median income for Summit County.

Development Incentive Chart

Zone	Typical Lot Area	Lot sizes shall vary with a min. of 7,000 sq. ft.	Required Open Space	Incentive Multiplier
AG-2	2 acre	7,000 sq. ft.	60%	20%
AG-1	1 acres	7,000 sq. ft.	50%	15%
R-H	.5 acre	7,000 sq. ft.	30%	10%

Lot requirements:

- a. Street Frontage: The minimum street frontage for lots within a Conservation Subdivision shall be a minimum of seventy feet (70’) from the property line, except along the circumference of a cul-de-sac improved to city standards where a minimum of thirty-five feet (35’) may abut the street.
- b. Front Setback: The developer shall designate the building pads for main buildings in a Conservation Subdivision. Front setbacks shall be a minimum of twenty feet (20’) from the property line and every other lot shall be staggered an additional fifteen feet (15’).
- c. Rear Setback: The minimum rear yard setback for main buildings within a Conservation Subdivision shall be twenty feet (20’) from the property line.
- d. Side Setback: The minimum side yard setback for main buildings with a Conservation Subdivision shall be ten feet (10’) from the property line.
- e. Side Corner Setback: The minimum side corner setback for main buildings within a Conservation Subdivision shall be twenty feet (20’) from the property line in compliance with clear vision standards.

17.60.30 Design Standards

1. Individual Lots: Individual lots in Conservation Subdivisions shall be laid out pursuant to the dimensional standards set forth in FCC 17.60.25. Individual residential lots shall not encroach upon or contain any of the required minimum designated conservation land for the subdivision.
2. Buffer from Road: All new dwellings shall be arranged and located a minimum of one hundred (100') from all external roads.
3. Conservation Lands: Standards pertaining to the quantity, quality, configuration, use, permanent protection, ownership and maintenance of conservation land within a Conservation Subdivision shall be in compliance with all provisions contained herein.
4. Sensitive Lands: Restriction and regulations regarding the preservation, protection, ownership and maintenance of sensitive lands within a Conservation Subdivision shall be in compliance with this Chapter of the Francis City Land Use Ordinance.

17.60.35 Use Regulations

1. Subdivision: Subject to use and development restrictions of sensitive lands, open land within Conservation Subdivisions may be used for the following purposes:

Permitted Uses:

- a) Conservation of open land in its natural state; i.e., meadow, grassland, trees, farmland, etc.
- b) Agricultural and horticultural uses, including raising crops that support an active, viable agricultural or horticultural operation.
- c) Pastureland for sheep, cows and horses, excluding commercial livestock operations involving swine, poultry and mink.
- d) Non-commercial outdoor equestrian facilities.
- e) Underground utility easements for drainage, access, sewer or water lines, or other public purposes.
- f) Above-ground utility and street rights-of-way may traverse conservation land, provided areas encumbered by such facilities and/or rights-of-way shall not be counted towards the minimum required conservation land for the subdivision.
- g) Neighborhood open space uses such as common areas, picnic areas, trails, and similar recreational uses.
- h) Fencing, when deemed necessary and appropriate for the particular use, condition, purpose and/or location of the conservation land.
- i) Improvements such as gazebos may be included within the open space requirement along with uncovered recreational facilities such as playing fields, bikeways, basketball or tennis courts and playgrounds.

17.60.40 Conservation Land and Design Standards

Designated conservation land within a Conservation Subdivision shall meet the following standards:

1. Significant Areas and Features: Conservation land should include the most unique and sensitive resources and significant features of the property within the subdivision.
2. Recreation Uses: A substantial amount of the minimum required conservation land may be comprised of the active recreation facilities such as playing fields, golf courses, tennis courts, etc., exclusive of parking

lots; provided at least twenty percent (20%) of the minimum required conservation land remains available for the common use and enjoyment of the residents and/or the public.

3. Buffering: Conservation land shall be designed to provide buffers and to protect scenic views looking from or towards existing roadways.
4. Pedestrian Access: Adequate pedestrian access to conservation land shall be provided.
5. Maintenance Access: Sufficient maintenance access to all conservation land and sensitive land will be provided.
6. Landscaping: All conservation land that is not wooded, farmed, or maintained as conservation meadows, grassland, or steep slopes other approved open space, shall be landscaped. For each remaining open space acre, there shall be required on the project site at least two (2) deciduous trees at least two (2) inch caliper in size and one (1) conifer tree at least six (6) feet in height.

17.60.45 Permanent Protection of Conservation Lands

1. Conservation Easement: All conservation land shall be permanently restricted from future development by a conservation easement or other method of protection and preservation acceptable to Francis City. Under no circumstances shall any development be permitted in the conservation land, except for those permitted uses listed herein and approved with the Conservation Subdivision. All methods of protection and preservation of conservation land shall be approved by Francis City and recorded prior to or concurrent with the recording of the final plat for the Conservation Subdivision.

Terms and Conditions: All conservation easements, or other acceptable method of protection and preservation of the conservation land within a Conservation Subdivision shall include the following terms and/or conditions:

- a. Legal description of the easement.
- b. Description of the current use and condition of the property.
- c. Permanent duration of the easement.
- d. Permitted uses.
- e. Maintenance responsibilities and duties.
- f. Enforcement rights and procedures
- g. Other terms or conditions as deemed necessary by the Planning Commission and City Council.

17.60.50 Ownership of Conservation Lands

Unless otherwise approved by Francis City, the grantee of a conservation easement shall consist of one of the following acceptable entities which shall be qualified to maintain and enforce such conservation easement.

Undivided Ownership: Unless otherwise approved by Francis City and subject to the provisions set forth in this Chapter, the underlying fee ownership of the conservation land shall remain in single ownership and may be owned and maintained by the homeowners' association, a land trust, conservation organization, or private individual. In the case of the HOA holding the conservation easement, the following regulations shall be met:

- a. A description of the organization of the proposed association, including its by- laws, and all documents governing ownership, maintenance, and use restrictions for the conservation land, including restrictive covenants for the subdivision, shall be submitted by the developer with the Final Plat application.
- b. The proposed association shall be established and operating (with financial subsidization, if necessary) prior to or concurrent with the recording of the Final Plat for the subdivision.

- c. Membership in the association shall be mandatory for all purchasers of the property within the subdivision and their successors in title.
 - d. The association shall be responsible for maintenance and insurance of the conservation land.
 - e. The by-laws of the association and restrictive covenants for the subdivision shall confer legal authority on the association to place a lien on the real property of any member who falls delinquent in dues. Such dues shall be paid with the accrued interest before the lien may be lifted.
 - f. Written notice of any proposed transfer of conservation land by the association of the assumption of maintenance for the conservation land must be given to all members of the association and to Francis City no less than thirty (30) days prior to such event.
 - g. The association shall have adequate staff to administer, maintain and operate such conservation land.
2. Property subject to a conservation easement, or other acceptable method of protection and preservation, shall not be subdivided.

17.60.55 Maintenance of Conservation Lands

1. Costs: Unless otherwise agreed to by Francis City, the cost and responsibility of maintaining conservation land shall be borne by the owner(s) of the underlying conservation land.
2. Maintenance Plan: The developer shall submit a maintenance plan providing for and addressing the means for permanent maintenance of the conservation land within the proposed Conservation Subdivision with the Preliminary Plat application for the subdivision. The maintenance plan shall provide the following:
 - a. The plan shall define ownership.
 - b. The plan shall establish necessary regular and periodic operation and maintenance responsibilities for the various kinds of open space (i.e., lawns, playing fields, meadows, pasture, wetlands, stream corridors, hillsides, cropland, control of noxious weeds, etc.)
 - c. The plan shall estimate staffing needs, insurance requirements, and associated costs, and define the means for funding the maintenance of the conservation land and operation of any common facilities on an on-going basis. Such funding plan shall include the means for funding long-term capital improvements as well as regular yearly operating and maintenance costs.

Approval: The maintenance plan must be approved by Francis City prior to or concurrent with Final Plat approval for the subdivision.