

Staff Report

To: Francis City Council

From: Ryan Robinson

Report Date: January 17th, 2019

Meeting Date: January 24th, 2019

Title: Stewart Ranch

Type of Item: Annexation Public Hearing

Executive Summary:

The developers of Stewart Ranch have submitted two concepts to be considered for annexation using the Conservation Subdivision. This subdivision is located at Parcel numbers CD-2123 and CD-2118-A. There are 85.11 acres on the West Meadow and 42.60 acres on the East Bench for a total of 127.71 acres. (see attached plans). The number of units proposed meet the requirements for the conservation subdivision in an AG-1 zone.

- West Meadow single family Plan: Single-family housing, the base density being proposed for 127 dwelling units. The Conservation Subdivision incentive of 15% adding an additional 19 units bringing the total to 146 units for this layout. The total acres counting for open is 65.84 acres 51.5% of the total property.
- West Meadow Townhome Plan: Mix of single-family and townhomes, with 146 dwelling units total. There will be 116 single-family units and 30 townhomes that would take up less ground and allow for more open space and offer a variety of housing types. There will be 72 acres of open space 56.4% of the total property.

City Code:

- **17.10:** Annexation Policy Plan
- **17.60:** Conservation Subdivision

General Plan:

- See Future Land Use Map
- Land Use elements found on pages 14-18
- Annexation Policy found on pg. 14 & 42-45 states the following:
 1. Development should be encouraged to occur within the existing City boundaries as a first priority.
 2. Annexations should only be approved based upon an overwhelming benefit to the community as a whole.

Planning Commission Recommendation:

Stewart Ranch was forwarded from the Planning Commission with a favorable Agriculture 2 zoning recommendation due to the future land use map recommended zoning. There was a lengthy discussion on what zone should be attached to this development to meet the needs of the City and the developers. The PC thought the number of units being presented (146) was high for that section of town and would like to see the higher density directed towards the center of town. The Ag-2 zone was recommended after viewing the future land use map and attempting to lower the overall number of lots in this layout. The developers for the entirety of this process have been

working with the zone being Ag-1 and with the Conservation Subdivision incentives and number of units allowed. There was also a conversation about split zoning the property in different ways but was not recommended due to the Planning Commission wanting to keep the density allotment lower.

City Council Recommendation:

In the December 13th, 2018 City Council meeting the developers of Stewart Ranch came before the City Council as a work session item. Different items in relation to the annexation were discussed regarding zoning, water and sewer, annexation fees, and the city having a say in the development of the hillside. As well as what is best for Francis in the future with this development.

Staff Recommendation:

Using the Conservation Subdivision requirements, discuss the zoning wanted for Stewart Ranch. The future land use map has this area zoned as Ag-2, but due to previous future land use maps the developers have been working under Ag-1 zoning during the duration of their annexation process. Also, the need for an overwhelming benefit to the city needs to be identified and discussed for approval. The following actions can take place:

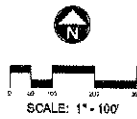
1. Approve: After discussion and if an overwhelming benefit to the City is identified based off the recommendation from the General Plan, Stewart Ranch should be considered for approval.
2. Denial: If the City finds this annexation does not meet the recommendations of the General Plan and present an overwhelming benefit the application can be denied at this time.
3. Table for future review: The Council can if needed table for more time to discuss annexation. If this item is tabled for anything other than needing more time to discuss, give the developers specific directions as to what needs to be addressed.

Community Review:

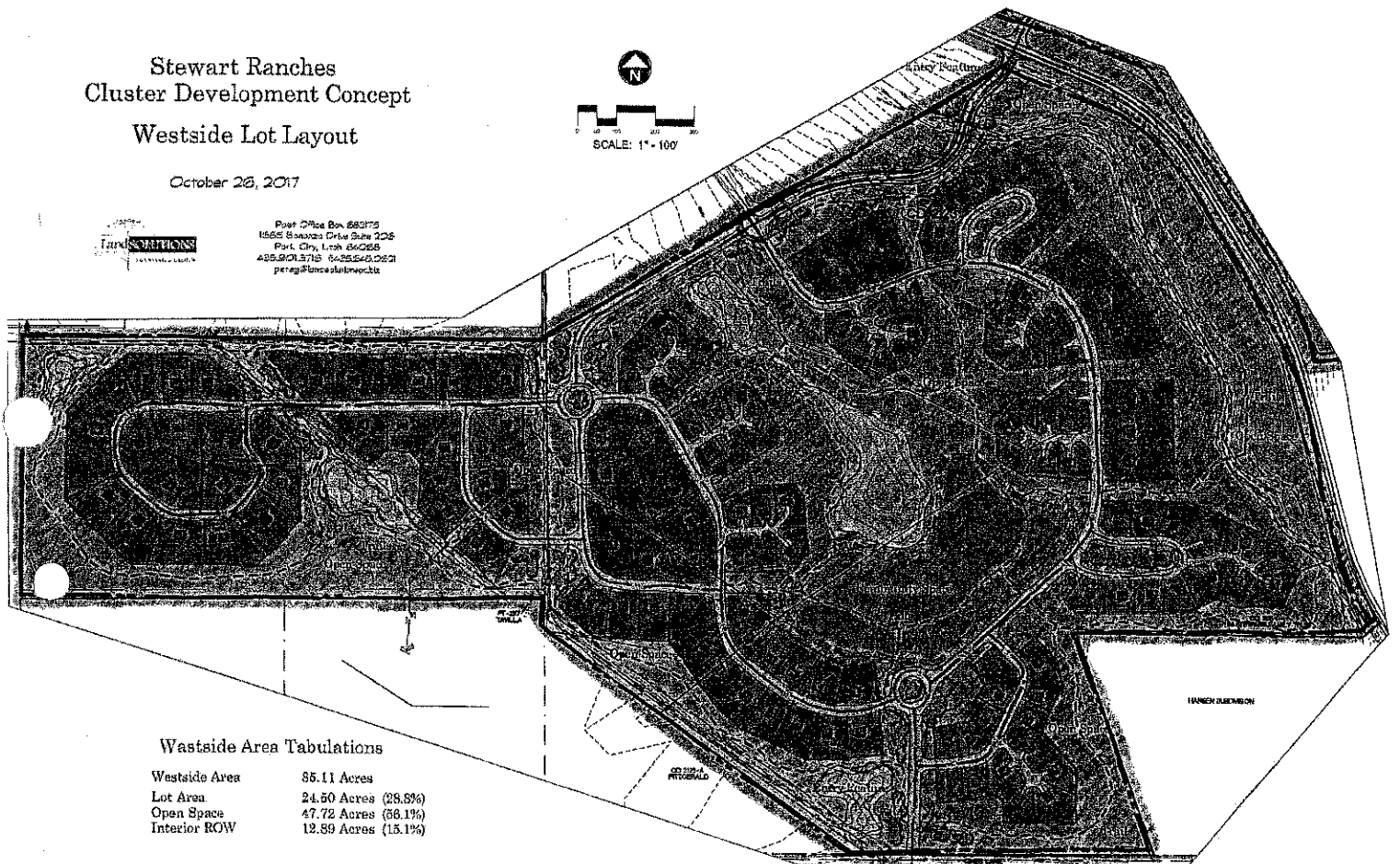
A public hearing is required at this time.

Stewart Ranches Cluster Development Concept Westside Lot Layout

October 26, 2017



Post Office Box 660175
1565 S. Grand Drive Suite 206
Park City, Utah 84068
435.941.3715 843.252.6322
per@land-solutions.com



Westside Area Tabulations

Westside Area	85.11 Acres
Lot Area	24.50 Acres (28.6%)
Open Space	47.72 Acres (56.1%)
Interior ROW	12.89 Acres (15.1%)

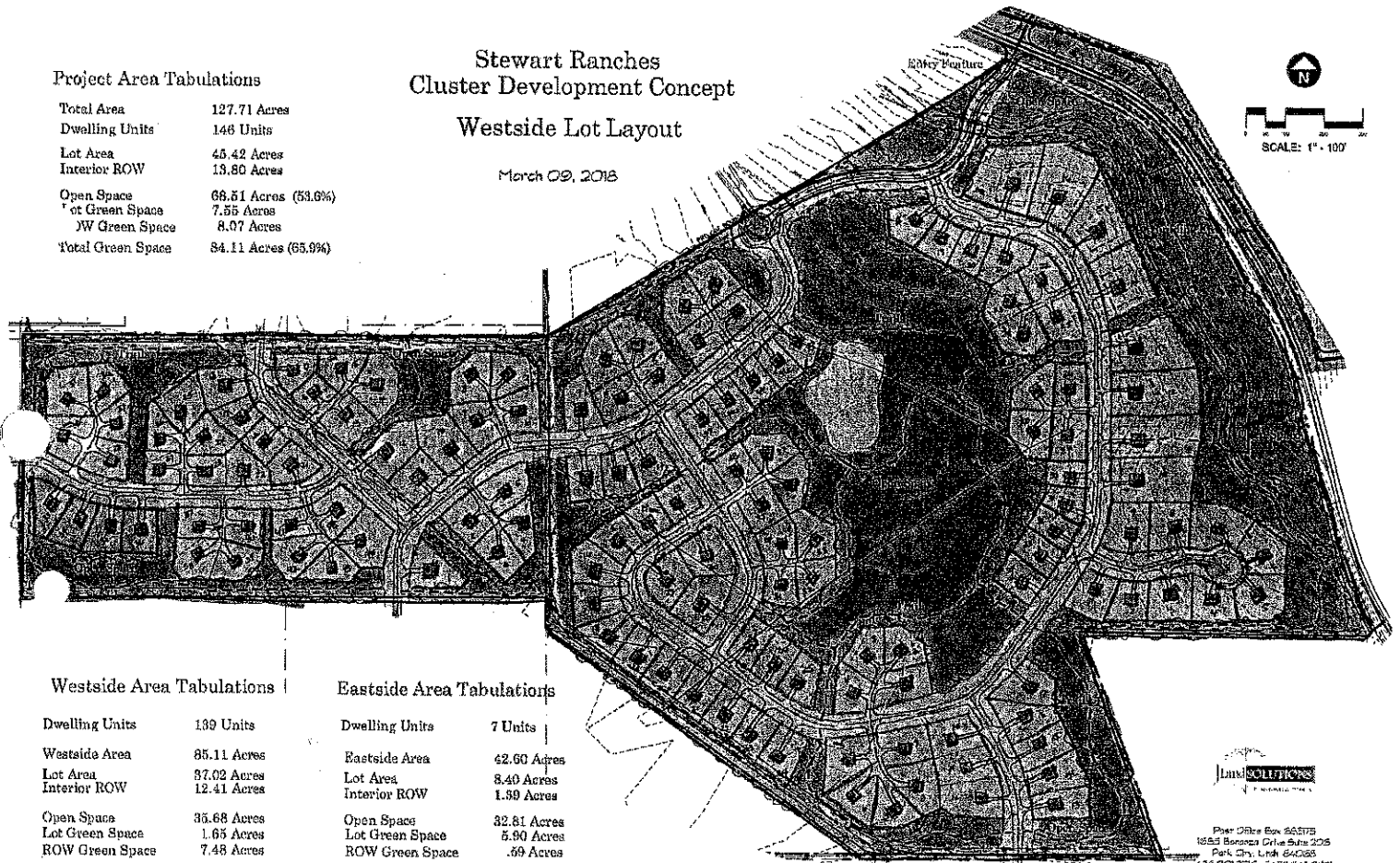
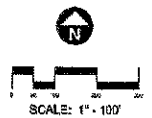
Concept A
144 lots

Project Area Tabulations

Total Area	127.71 Acres
Dwelling Units	146 Units
Lot Area	45.42 Acres
Interior ROW	13.80 Acres
Open Space	68.51 Acres (53.6%)
Lot Green Space	7.55 Acres
W Green Space	8.07 Acres
Total Green Space	84.11 Acres (65.9%)

Stewart Ranches Cluster Development Concept Westside Lot Layout

March 09, 2018



Westside Area Tabulations

Dwelling Units	139 Units
Westside Area	85.11 Acres
Lot Area	37.02 Acres
Interior ROW	12.41 Acres
Open Space	35.68 Acres
Lot Green Space	1.65 Acres
ROW Green Space	7.48 Acres
Total Green Space	44.60 Acres (52.3%)

Eastside Area Tabulations

Dwelling Units	7 Units
Eastside Area	42.60 Acres
Lot Area	8.40 Acres
Interior ROW	1.39 Acres
Open Space	32.81 Acres
Lot Green Space	5.90 Acres
ROW Green Space	.59 Acres
Total Green Space	39.30 Acres (92.2%)



P.O. Box 55575
1555 Bonanza Drive Suite 205
Park City, Utah 84068
435.251.5715 FAX 435.251.5711
perez@landscapecsolutions.com

Concept C
146 lots

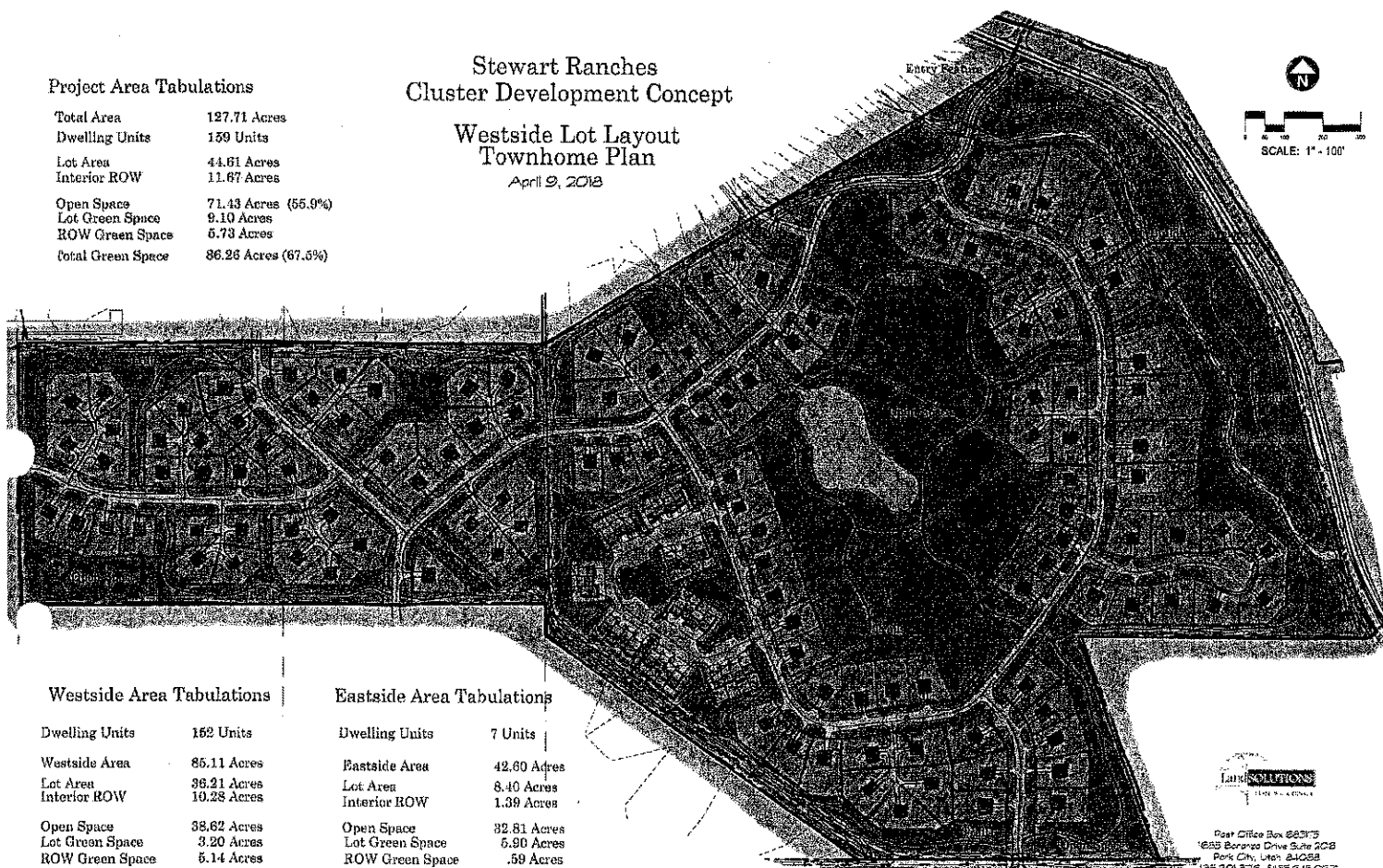
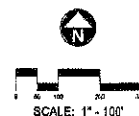
Project Area Tabulations

Total Area	127.71 Acres
Dwelling Units	139 Units
Lot Area	44.61 Acres
Interior ROW	11.67 Acres
Open Space	71.43 Acres (55.9%)
Lot Green Space	9.10 Acres
ROW Green Space	5.73 Acres
Total Green Space	86.26 Acres (67.5%)

Stewart Ranches Cluster Development Concept

Westside Lot Layout Townhome Plan

April 9, 2018



Westside Area Tabulations

Dwelling Units	162 Units
Westside Area	85.11 Acres
Lot Area	36.21 Acres
Interior ROW	10.28 Acres
Open Space	38.62 Acres
Lot Green Space	3.20 Acres
ROW Green Space	5.14 Acres
Total Green Space	46.96 Acres (55.17%)

Eastside Area Tabulations

Dwelling Units	7 Units
Eastside Area	42.60 Acres
Lot Area	8.40 Acres
Interior ROW	1.39 Acres
Open Space	32.81 Acres
Lot Green Space	5.90 Acres
ROW Green Space	.59 Acres
Total Green Space	39.30 Acres (92.2%)



Post Office Box 683175
6835 Borwick Drive Suite 208
Park City, Utah 84058
435.201.5716 FAX 435.648.0627
pete.g@landinfo.net

Concept D
169 lots

Timeline: Stewart Ranch

On October 26th, 2015 Stewart Ranch petitioned the City Council to annex into Francis City. It was approved for consideration at that time. The applicant Rex Campbell came before the Planning Commission on Feb. 18th, 2016, proposing 73 lots on the valley floor, which included 7 lots on the hillside. The Planning Commission motioned to table the application with these conditions: have a wild life study, traffic study, resolve water issues and create more open space. The applicant decided to come back with a conservation subdivision to create more open space.

The developers met with the Planning Commission on Nov. 16th, 2017, having all the conditions met and presented a new Cluster Development Concept "A". It proposed 137 lots ranging from 8,000 sq. ft lots to .81 acre lots on the valley floor along with 7 lots along the hillside that range from 1-7 acres totaling 144 lots. The Planning Commission's review at that time was that the roads master plan needed to be addressed with the layout, along with coming up with a different solution for the shared driveways. The consensus was that the Planning Commission liked the open space compared to the 1 ac. grid pattern lots in the original concept but did not approve of the increase number of lots.

On Jan. 11th, 2018 the developers presented a new concept "B". They reconfigured some of the lots to range from 8,000 sq. feet to .33 or 1/3 acre lots on the valley floor but did not change the 7 lots on the hill side. They took away the shared driveways and roundabouts and inserted the master planned roads which reduced the overall number of lots to 129. The Planning Commission requested the developers compromise between the configuration layout of concept "A," while keeping the reduced number of lots of concept "B."

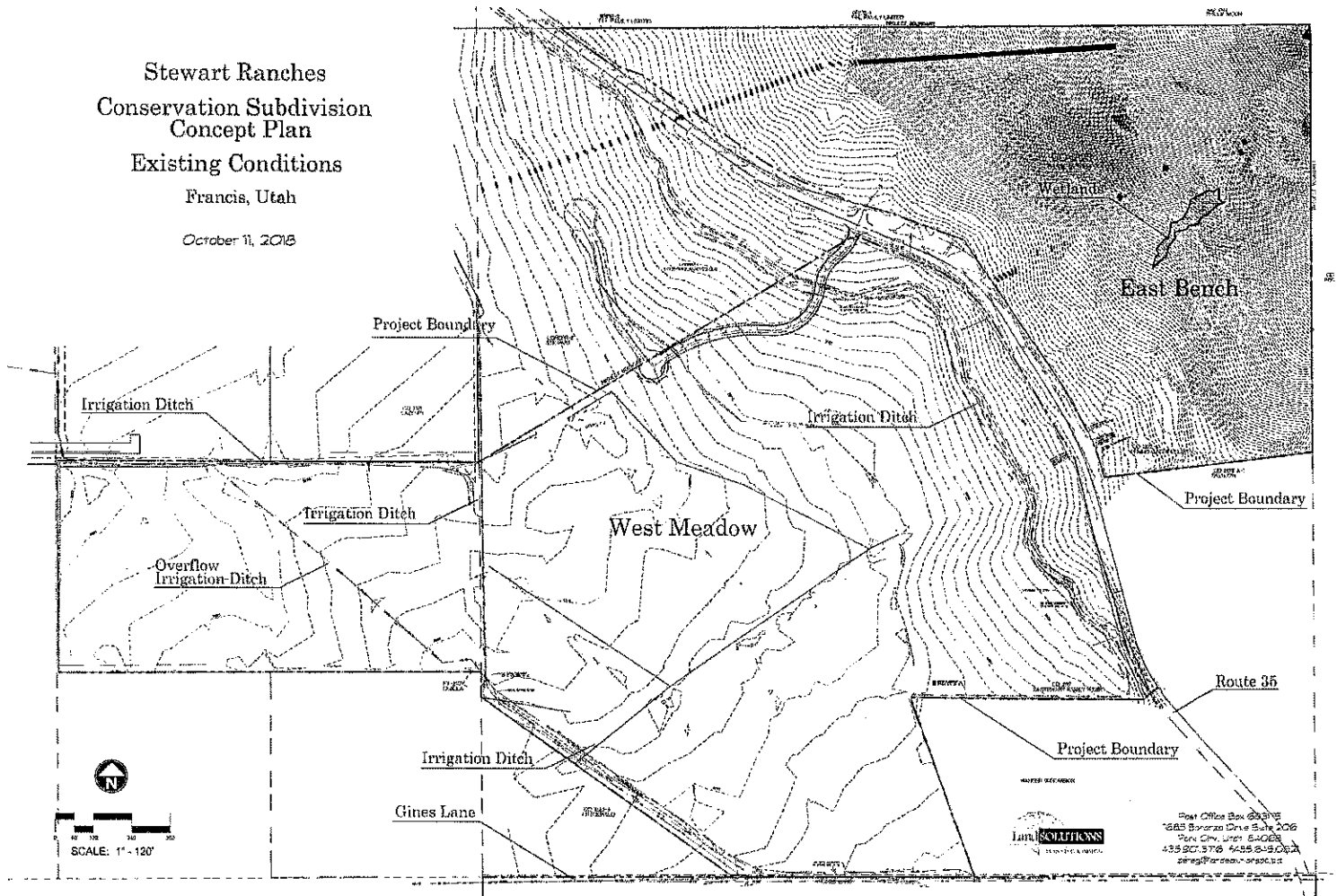
April 26th, 2018 the developers presented two options "C" and "D" to be considered they felt went along with the current draft at the time of the Conservation Subdivision ordinance. These concepts focused only on the layout of the valley floor with the seven lots on the hillside remaining unchanged. Option "C" had 146 lots with an increased number of shared driveways. The developers felt this would benefit the City because the shared driveways would be private and not maintained by the City. These lots range from 10,000 sq. ft to ½ acre with 53.6% of the project in open space. Option "D" had 159 lots including 30 townhomes. The open space went up to 55.69%. All roundabouts were eliminated from this concept but there is still an increased number of shared driveways. These concepts were tabled due to the Conservation Subdivision not having been approved yet, and the overall density of the two concepts.

Stewart Ranches
Conservation Subdivision
Concept Plan

Existing Conditions

Francis, Utah

October 11, 2018

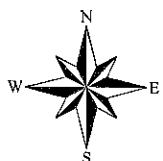




Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



1 in = 3,257 feet



This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information and data obtained from various sources, including Summit County which is not responsible for its accuracy or timeliness.

Stewart Ranches Conservation Subdivision Concept Plan

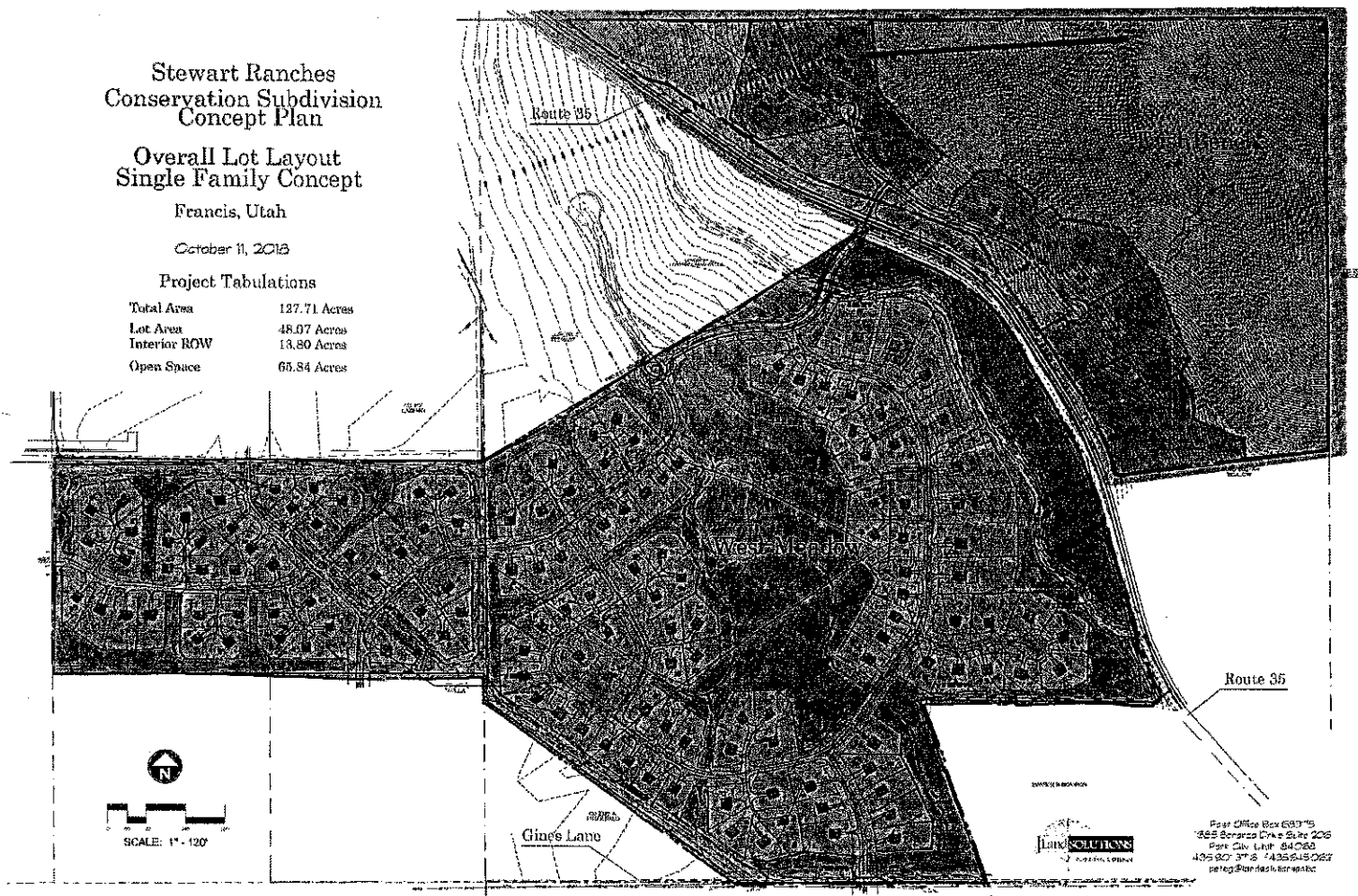
Overall Lot Layout Single Family Concept

Francis, Utah

October 11, 2013

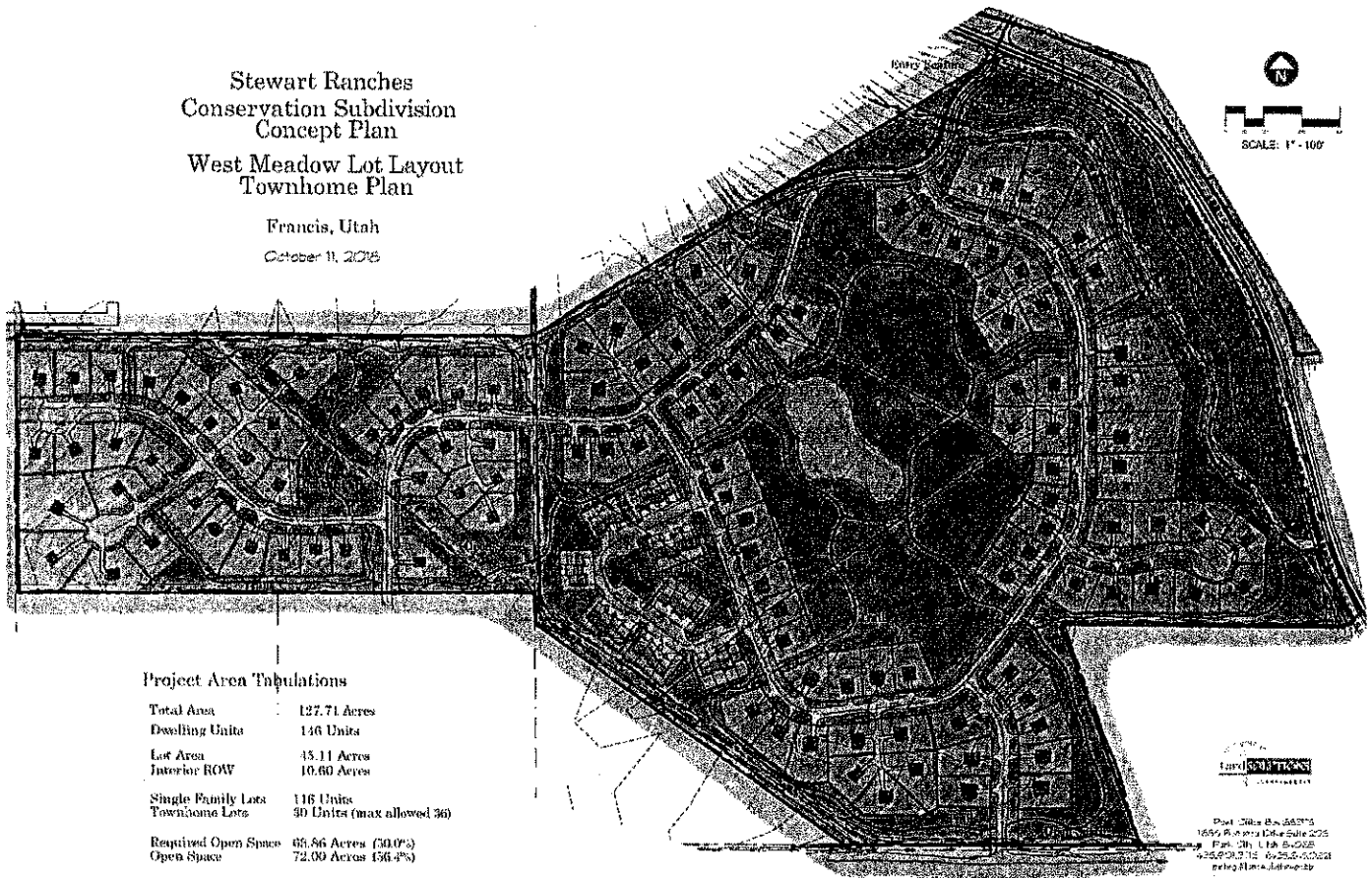
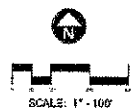
Project Tabulations

Total Area	127.71 Acres
Lot Area	48.07 Acres
Interior ROW	13.80 Acres
Open Space	65.84 Acres



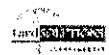
Stewart Ranches
Conservation Subdivision
Concept Plan
West Meadow Lot Layout
Townhome Plan

Francis, Utah
October 11, 2006



Project Area Tabulations

Total Area	127.71 Acres
Dwelling Units	146 Units
Lot Area	45.11 Acres
Interior ROW	10.60 Acres
Single Family Lots	116 Units
Townhome Lots	30 Units (max allowed 36)
Required Open Space	65.86 Acres (50.0%)
Open Space	72.00 Acres (56.4%)

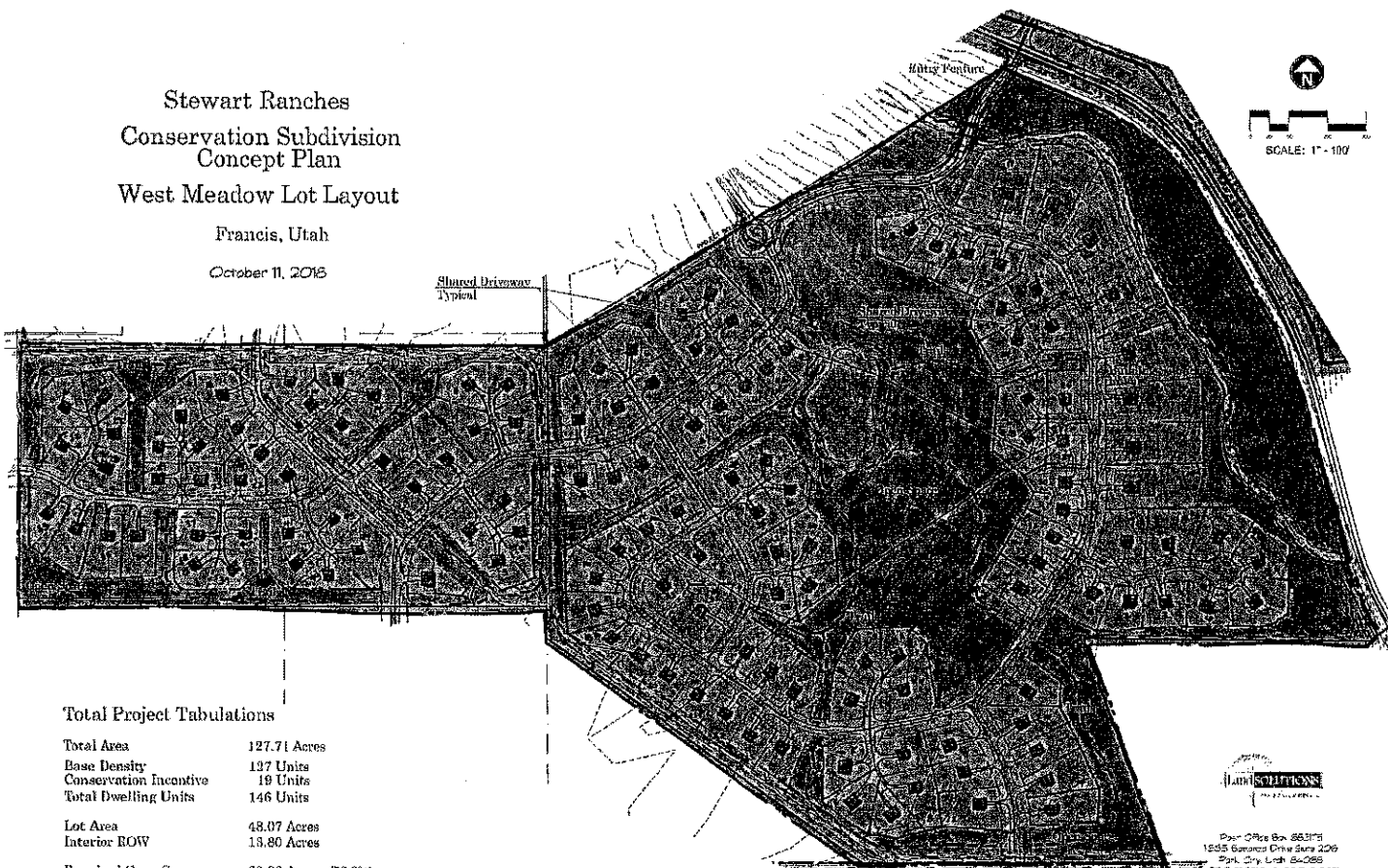
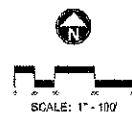


David S. Brown, P.E.
1655 Professional Engineer
P.O. Box 118, Big Water,
Utah 84001
dave@brown-engineering.com

Stewart Ranches
Conservation Subdivision
Concept Plan
West Meadow Lot Layout

Francis, Utah

October 11, 2018



Total Project Tabulations

Total Area	127.71 Acres
Base Density	127 Units
Conservation Incentive	19 Units
Total Dwelling Units	146 Units
Lot Area	48.07 Acres
Interior ROW	18.80 Acres
Required Open Space	63.86 Acres (50.0%)
Proposed Open Space	65.84 Acres (51.5%)



Box C Res Box 66375
1555 Grand Circle Ave 209
Sgt. City, Utah 84086
408.901.3118 763.595.0821
parr@landsolutions.com

January 15, 2019

Francis City Council
2317 South Spring Hollow Road
Francis, UT 84036

Re: Annexation of Stewart Ranch Subdivision

Dear Francis City Council,

My name is Jill Leonard. My husband and I live immediately south of Stewart Ranch, sharing our north boundary with a portion of the Ranch's southern boundary. We live on the east end of Gines Lane, outside of Francis City. I respectfully offer comments for your consideration in the disposition of the Ranch's Annexation Application.

Status: Currently the Ranch is zoned as AG-10 under Summit County Zoning (as of spring 2018). The Ranch currently has three 5+ acre lots advertised. Both current and future City zoning reflects AG-2 for this property as per the City's General Plan. The Ranch application does not reflect the AG-2 zoning. It is my understanding there has been discussion between the Council and Ranch regarding placement of a second water tank for the City's use on the eastern side of the property (hillside), with the arrangement providing a significant monetary benefit to the City. And finally, the Planning Commission's recommendation to your Council is to approve the annexation, but with AG-2 Zoning. I appreciate the Commission tying their recommendation back to the General Plan.

As a member of the larger Francis community, I view the General Plan as a "touchstone" for City leaders to use in evaluating proposals—asking 'does this or any proposal help to move us toward the vision we've described in the General Plan?'. During the May 2018 City Council Work Session, Mayor Ames provided valuable counsel to Council members: **"Just because it's possible, doesn't mean we have to do it"**. In your deliberations for weighing and balancing the if, what, and where development occurs in our community, please keep the Mayor's counsel in mind.

My Recommendation: It is my recommendation the City Council deny the most current Stewart Ranch Subdivision Annexation Application in its entirety. If and when the Applicant submits a new application which reflects AG-2 zoning, includes a more complete Wildlife Report, and is more consistent with the other values described within the Francis City General Plan then annexation can be considered at that time. My rationale follows.

Rationale:

Wildlife Report: The author of the Report visited the Ranch property on March 5, 2016, spending two hours on the ground during early afternoon. In my opinion, the Wildlife Report is **inadequate and incomplete**. It addresses only the property's east side (hillside) and made slight mention of the cottonwoods below Highway 35. The remainder of the property went un-surveyed. I challenge this "survey" in that it does not adequately address

the deer winter range on the hillside, and the winter wildlife corridor from the hillside down across Highway 35 and into the open southern portion of the Ranch property. A neighbor of mine frequently observes, very early in the morning and year-round, 30-50 head of elk that come down the hillside property and forage in the southern portion of the Ranch property. Often during the summer, this same herd crosses Gines Lane and forages in Bob Wheaton's alfalfa field, according to this neighbor. At times during each spring, a large (150+ head) herd of elk grazes on the Ranch hillside, often near the small wetland south of "the Rock". Additionally, pairs of Cranes have been observed at the same wetland during the summer, as well as performing their mating dances on the open portion of the property.

Did the author talk with adjacent property owners, some of which have lived here 20 years, to obtain a sense of wildlife patterns on the property during the various seasons? No.

I also offer Draft #3 Summit County Plan, Page 21: "Wildlife Strategy 1.1.1: Review development plans on private property to take wildlife movement corridors and wintering habitats into account in project design; and Strategy 1.1.2: Improve coordination among the County, (and) local municipalities...to identify opportunities to establish and maintain contiguous open space parcels and corridors."

My Comment: Wildlife, their habitat, and open space/travel corridors in this area are significant, whether the land is annexed or not. Would the City be interested in involving the County for their wildlife perspective in this eastern portion of "the City"? Also, see additional wildlife discussion below-under General Plan.

Ground Water: During 2018, Summit County up-zoned most of the unincorporated areas within the County. I mention this only because of the rationale for the up-zoning, as I understand it anyway. As mentioned earlier, the Stewart Ranch County Zoning went from AG-5 to AG-10. The County did this in order to be consistent with State Law, and out of concern for the water resources--primarily to protect the filtration capacity of the soils by reducing impervious surfaces (i.e. reduce housing density via AG-10).

My Comment: Wouldn't it be in the City's best interest to also protect the greater community's water resources, i.e. protecting the filtration capacity of the soils by reducing impervious surfaces--in the case of Stewart Ranches, being consistent with AG-2 City Zoning, *as a minimum*?

Francis City General Plan

Page 38, "*Environmental Goals and Guidelines*, Goal: Environmental resources of the City should be protected including water quality, wildlife habitat, scenic quality, hillsides, ...open space, soils, ...". Objective: "Protect all of the environmental and natural resources of the City by requiring development to occur in a manner and location which respects sensitive environmental lands: ...steep slopes, productive agricultural lands, ...and critical wildlife areas".

My Comment: see previous discussions and comments.

Francis City General Plan, cont.

Page 42, "*Francis City Annexation Policy*: The Annexation requirements... in this element are intended to protect...character...of Francis City by...: preserving open spaces, ensuring environmental quality, protecting entry corridors, view sheds, ...creating buffer areas, ... and ensuring annexations are approved consistent with the Francis City General Plan. It is the intent of this element to ensure property annexed to the City will contribute to the attractiveness of the community and will enhance the rural image..."

Page 43-45, "*Annexation General Requirements*: These specific requirements are established for annexation (proposals) to Francis City: ...#7...the City shall carefully analyze the impacts of area proposed... . Community issues such as conservation of natural resources, protection of view corridors ... shall be considered. #10 In general ... The annexation of unincorporated territory solely for the purpose of acquiring municipal revenues is not favored".

My Comment: When evaluated against the Francis City Annexation Policy, the proposal does little to ensure environmental quality (wildlife, water quality discussed above). In reviewing meeting minutes and staff reports for this project, I saw no discussion about view sheds or entry corridors. Highway 35 is considered an entry corridor into Francis City from the Wolf Creek/Woodland direction—yet the proposal would in no way protect it. This proposal for high density housing and even townhomes—is this how the City wants to present its east entrance---basically a "Circle T development" suited for Residential ½ Zoning instead of as a pastoral rural entry corridor?

Also, can each member of the City Council say it isn't the monetary benefits of this proposal (annexation and other fees---which happen to be close to the cost of a new water tank on the hillside of the Stewart property) that make annexation attractive at this time?

The City's resolution for Conservation Subdivisions (CS) is a good move. It feels, however, like this proposal for annexation is being pushed by someone as a test case for a CS. As proposed, it would not achieve the intent of a CS (conserve scenic elements, wildlife habitat, minimize perceived density), especially since most of the proposed CS area is on the hillside!

Additional Thoughts: In my experience evaluating different kinds of proposals, it's easy to focus on the elements of a proposal that can be quantified, i.e. miles of road, gallons of water, acres treated, number of houses, expenditures/revenues, etc. But the difficulty comes in trying to quantify the significance of scenic quality, entry corridors, rural character, or the value of wildlife habitat/travel corridors. And because of this difficulty, these non-quantifiable values are often pushed aside, simply overlooked, or not given the time and discussion they warrant. I believe this has been the case with this annexation proposal. These intangible values are identified in the Francis City General Plan, but have not been

addressed within the proposal, nor in evaluating this proposal. Which is part of my rationale for **recommending the proposal be denied in its entirety—the annexation proposal itself is inconsistent with the Plan's Zoning, The Wildlife Report is inadequate, and the evaluation of the proposal is not complete.**

Please deny the annexation application at this time.

Sincerely,

A handwritten signature in cursive script that reads "Jill Leonard".

JILL LEONARD

1953 E Gines Lane

Francis UT 84036

COMMENT FORM

Regarding the Application for Annexation of the Stewart Ranch
Subdivision

Name/Address JACK + ELAINE ROBB
1440 E 3200 S FRANCIS UT 84036

Francis City Resident

☒

Or

County Resident

☐

I support the recommendation to deny the Application for Annexation as
described in the January 15, 2019 letter submitted by Jill Leonard to the Francis
City Council.

☒

Comments (continue on reverse side as necessary):

- 1- WATER IMPACT.
- 2- SEWER IMPACT.
- 3- TRAFIC IMPACT.
- 4- SCHOOL IMPACT.

Signature:

Jack H Robb X
Elaine Robb

- ① Francis already has highest density in the Valley.
- ② Water - where is it coming from? 2nd tank?
- ③ Traffic - who will be responsible for upgrading roads to accommodate the increased traffic? I already notice a problem on my lane with the new 12 home development.
- ④ How will these added homes impact our taxes? Who will be responsible for all the added services that will be needed?
- ⑤ What upgrades will be needed for our sewer system? Who will be responsible?
- ⑥ Do we actually have a voice in this matter? Or is it already a done deal, with this meeting being just a formality?
- ⑦ This development, as planned, is totally inconsistent with our rural community!

COMMENT FORM

Regarding the Application for Annexation of the Stewart Ranch
Subdivision

Name/Address Bill & Racey Cooper
1276 E Gines Ln Francis UT 84036

Francis City Resident ☒

Or

County Resident ☐

I support the recommendation to deny the Application for Annexation as
described in the January 15, 2019 letter submitted by Jill Leonard to the Francis
City Council. ☒

Comments (continue on reverse side as necessary): *In addition to the existing comments, I would be concerned about the increase in traffic. Both Gines Lane and South Willow way could not handle the increased amount of traffic. As is, in the winter, after a heavy snow fall it easily becomes 1 lane. Not to mention the danger to children, pets, livestock and residents who walk, ride horses and bikes along those roads. I don't believe this proposal has been thoroughly researched or considered the more aesthetic impacts it will have on the area.*

Signature: Racey Cooper

COMMENT FORM

Regarding the Application for Annexation of the Stewart Ranch
Subdivision

Name/Address

Step Hansen
3184 So SR 35

Francis City Resident

☐

Or

County Resident

☒

I support the recommendation to deny the Application for Annexation as described in the January 15, 2019 letter submitted by Jill Leonard to the Francis City Council.

☒

Comments (continue on reverse side as necessary):

We have lived next to the Stewart Ranch for 42 yrs. No one in their right mind would approve the annexation of 140+ homes. The only ones to benefit from these homes is mainly the developers. Local yokels like us will hate to lose our neighborhood.

Signature:

Step Hansen
Arleen Hansen

COMMENT FORM

Regarding the Application for Annexation of the Stewart Ranch
Subdivision

Name/Address Ryan & Debbie Anderson
1951 E. Gines Lane Woodland UT 84035

Francis City Resident ☐

Or

County Resident ☒ 

I support the recommendation to deny the Application for Annexation as
described in the January 15, 2019 letter submitted by Jill Leonard to the Francis
City Council. ☒ 

Comments (continue on reverse side as necessary):

Signature: Ryan Anderson
Debbie Anderson

Robert Wilson
1396 South 1400 East Salt Lake City, UT 84105
801-597-5843 bobdogwilson@hotmail.com
<http://www.linkedin.com/in/robertbwilson1>

I am an avian biologist with a record of commitment to avian conservation and environmental education. I am an excellent communicator and skilled writer as evidenced by my teaching tenure and grant applications. A long record of research projects demonstrates my skills of observation and analysis and a profound familiarity with the Western landscape.

Education

M.S. 2000 Biology/Ecology Utah State University

B.A. 1994 Biology Lewis and Clark College

Avian Research Experience

2013 to present Independent contractor.

Projects include identification of breeding population of boblinks for Summit Land Conservancy and evaluation of impacts to wildlife by highway Davis County for the Shared Solutions coalition.

2005-2011 Seasonal Biologist SWCA Environmental Consultants
Salt Lake City, UT

Detected the first SWFL in the Las Vegas Wash during the breeding period (2007). Identified large population of Greater Sage Grouse on Miller Mountain, WY. Created protocol for bird surveys at proposed wind turbine sites.

2003-2006 Westwings, Inc. (Mark Stackhouse) Seasonal Biologist
Salt Lake City, UT

Served warrants to investigate impacts to avifauna in and around industrial facilities. At the Houston shipping channel **my data contributed to a multi-million dollar settlement.**

U.S. Magnesium work included detection, collection, and analysis of snowy plover eggs. I was the **point-man** for this project and **my data contributed to Superfund ruling** for that site.

2004 Wildlife Conservation Society
Portland, OR

Determined nest success for shorebirds and waterfowl nesting on the coastal plain in the Kuparuk Oil Field, North Slope, Alaska.

2002 (and 2000) Idaho Department of Fish and Game
Jerome, ID

2002 was specifically **Greater Sage Grouse** breeding and nesting season project. Project included lek counts, **trapping, banding, and radio collaring**; radio tracking; nest detection and monitoring, and nest site evaluation.

2001 Rocky Mountain Bird Observatory
Brighton, CO

Distance point-count surveys. Custer National Forest (Black Hills, SD). Set up 60 of 600 transects. After the field season **I analyzed all data from 600 transects on Distance software.**

Current Professional Responsibilities

2002 to present Teacher Rowland Hall-St. Mark's Upper School Salt Lake City, UT

Courses taught: 9th Grade Biology, AP Biology, Health and the Human Body, Science and Economics of Sustainability.

Other duties: Plan and lead out-of-state field trips. Plan 4-day field trip for entire 9th grade class to the Uinta Mountains. Manage course and field trip budgets.

Grants and Awards: 2010 Toyota International Teacher Program Travel Grant: **I was one of 24 teachers from 851 applicants** selected to travel to the Galapagos Islands for a two-week teacher exchange program.

2010 Accepted into MIT Science and Engineering Program for Teachers.

Publications

Wilson, R. and J. A. Gessaman. 2003. "Two Large Bald Eagle Communal Winter Roosts in Utah." *Journal of Raptor Research* 37: 78-83.

Wilson, R. 2007 "Return Wolves to Their Historic Range." *Salt Lake Tribune* 10 March 2007.

Wilson, R. "Sex and Bones." Letter in *Scientific American* May 2011.

Wildlife evaluation of Stewart Ranch property on Highway 35 near Francis, UT

Prepared by Robert Wilson for Rex Campbell

14 March 2016

On 5 March 2016 I examined the Stewart Ranch property on the North Side of State Highway 35. Observation period started at 12:30 pm and ended at 2:30 pm. I walked a loop beginning at the two track at the base of the hill, down stream to a draw with evidence of fallen buildings, up a draw (north) to a fence near a new, small wood cabin, up the hill (east) to a prominent outcrop of conglomerate rock, down the other side of that hill towards the abandoned Stewart ranch house, and along the base of the hill to the start point. Weather was partly cloudy, calm, 50-60 degrees F. Snow cover was less than 10% with patches remaining where drifts had accumulated and where there was less direct sunlight. The slope portion of the property is south facing and would receive direct sunlight in all seasons. Snow was melted from the slope.

The vegetation community is primarily big sage (*Artemisia tridentata*). The draws have thickets of Gambel oak (*Quercus gambelii*) and the hills have a sparse population of juniper trees (*Juniperus sp.*) Other deciduous shrubs are found among the sage and represent a minority of the shrub population. Similar vegetation is contiguous east, west, and north of the area surveyed.

Deer sign is abundant throughout the property with greater sign on the south facing slope. Freshly used game trails crisscross this slope and scat is abundant. The majority of scat is from mule deer (*Odocoileus hemionus*). I saw 11 deer, all in the hills and draws above the area I walked. There was some sign of elk (*Cervus canadensis*) and moose (*Alces alces*). There was little or no sign of domestic livestock. Deciduous shrubs were heavily browsed as indicated by terminal branches cropped short to the larger secondary branches. The lower elevation and south aspect of this slope mean that it will have less snow pack and more available forage than surrounding terrain. The slope is attractive winter range to deer.

I observed other wildlife including a golden eagle (*Aquila chrysaetos*), red-tailed hawks (*Buteo jamaicensis*) and common ravens (*Corvus corax*). I saw these flying above the outcrop. The outcrop of conglomerate presents a south facing precipice upon which I could see a mass of uniformly sized sticks that appeared to be a nest of a medium sized bird such as a raven. Across the highway from the property is a grove of cottonwood trees and in those trees are two nests that match the description of red-tailed hawk nests. I saw an adult red-tailed hawk perched in these trees. I also identified western scrub jay (*Aphelocoma californica*), black-billed magpie (*Pica hudsonia*), and dark-eyed junco (*Junco hyemalis*). This habitat may also be occupied by breeding migratory birds including sage thrasher (*Oreoscoptes montanus*), and Brewer's sparrows (*Spizella breweri*).

I saw multiple cottontail rabbits (*Sylvilagus audubonii*) and the remains of white-tailed jack rabbits (*Lepus townsendii*). There was an abundance of deer and small mammal sign around the rock outcrop. Given that this is part of contiguous sage/scrub habitat, the property is also suitable habitat for coyote (*Canis latrans*), bobcat (*Lynx rufous*), and mountain lion (*Felis concolor*).

Building on this habitat is proposed between the base of the hill (the hill is too steep to build) and Highway 35. If the above sage and oak community were left intact, it is likely that deer and other large mammals would continue to use it. It is possible that housing could deter deer away from the highway and reduce risk and frequency of deer being hit by motor vehicles.

In order to mitigate disturbance to wildlife, I recommend that native plant community is preserved, especially on the slope portion of the property. Outdoor dogs would present a hazard to deer by scaring, chasing, and catching them. Winter time is a stressful time for deer: forage is reduced, their metabolism slows down, and cold temperature taxes their energy. Disturbance during the winter months can lead to starvation of individual animals and reduced reproduction. This could be mitigated by confining dogs and avoiding deer during winter months. Landscaping should include plants that are not toxic to deer.

Staff Report

To: Francis City Council

From: Ryan Robinson

Report Date: January 17th, 2019

Meeting Date: January 24th, 2019

Title: Hart Ranch Annexation

Type of Item: Petition for annexation

Executive Summary:

Francis City has received a petition for annexation for the Hart Ranch subdivision located on the southeast corner of Lambert Lane and Hallam Road parcel numbers CD-2039, CD-2039-A, CD-2039-B and CD-2038. CD-2039-A-X, (.04 acres) will be included in this annexation which is owned by the City of Francis (see attached boundary map).

The petition proposes annexing 80.96 total acres and have met the requirements for the annexation petition per city code. In their petition the developers have requested these parcels be zoned AG-1 allowing for one unit per acre. The future land use map has these parcels zoned as Ag-2 allowing for one unit per two acres.

If the petition is approved tonight the zoning can be discussed during future meetings with the Planning Commission and again with the City Council. In meeting with city staff, the developers discussed their intent to develop parcels CD-2039, CD-2039-A and 2039-B. This would give them 60.68 Acres of development to be done in a conservation subdivision for 66 lots.

City Code:

17.10.030: Property owner initiation of annexation.

17.10.040: Procedures for consideration of petition and plat.

17.60: Conservation Subdivision

General Plan:

- See Future Land Use Map

The Land Use section on Pg. 14-18 and Annexation on Pg. 42-45 States the following:

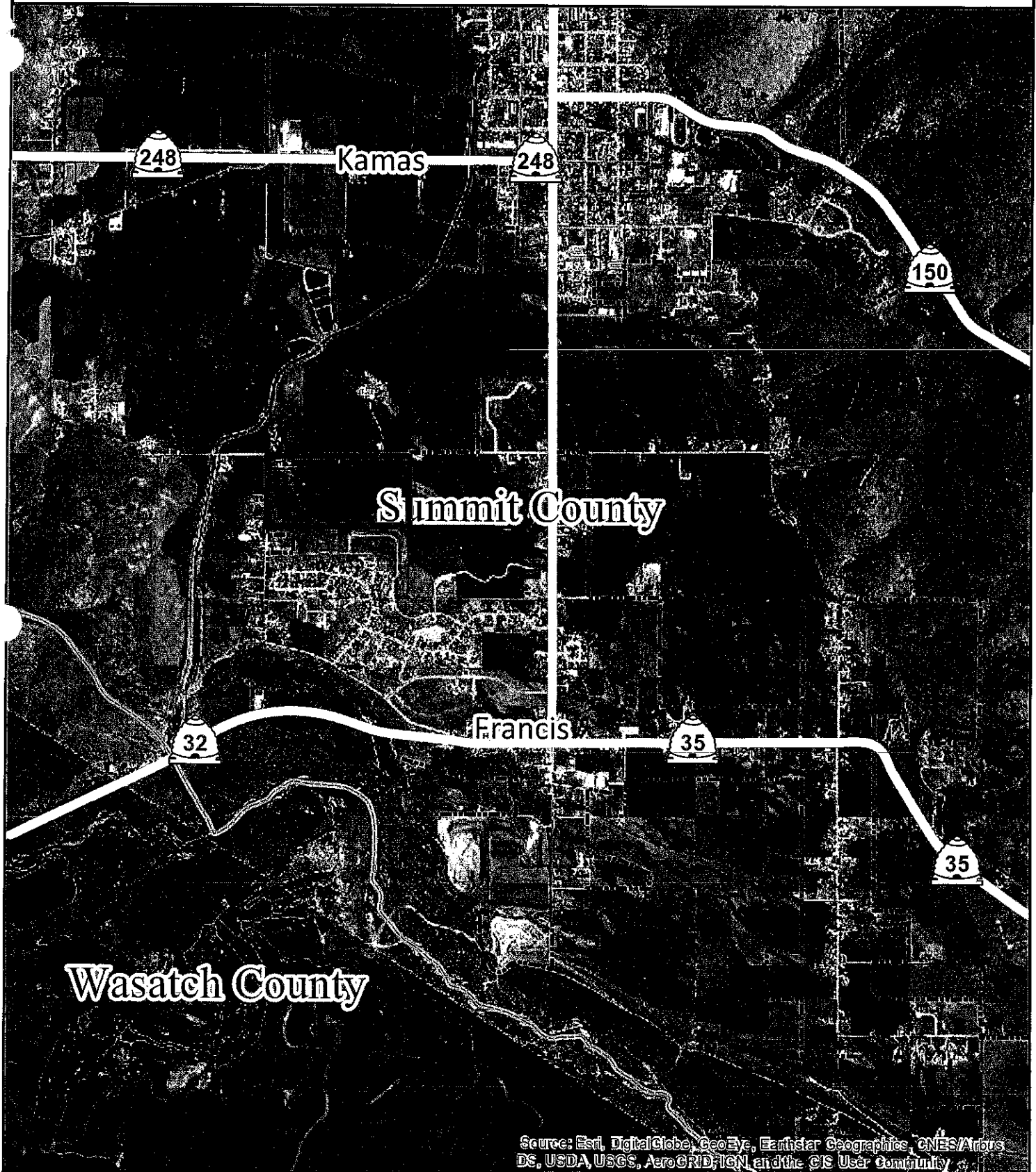
1. *Development should be encouraged to occur within the existing City boundaries as a first priority.*
2. *Annexation should only be approved based upon an overwhelming benefit to the community as a whole.*

Staff Recommendation:

Review the petition for annexation and give the developers feedback about what the City is looking for regarding zoning and the conservation subdivision for this property. A potential overwhelming benefit to the City should also be addressed. If no problems or concerns arise approve to begin the annexation process with a possibility of approval or denial in a future meeting.

Community Review:

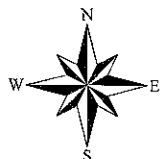
If approved a public hearing will take place at future meetings.



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus
DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



1 in = 3,257 feet



This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information and data obtained from various sources, including Summit County which is not responsible for its accuracy or timeliness.

confirmed county received 12-3-18
annexation. Re pd. 12-4-18 ac # 4326

PETITION FOR ANNEXATION INTO FRANCIS CITY

We, the undersigned owners of certain real property lying contiguous to the present municipal limits of Francis, hereby submit this Petition for Annexation and respectfully represent the following:

1. This petition is made pursuant to the requirements of Section 10-2-403, Utah Code Annotated;
2. The property subject to this petition is an unincorporated area contiguous to the boundaries of Francis, and the annexation thereof will not leave or create an unincorporated island or peninsula;
3. The signatures affixed hereto are those of the owners of private real property that:
 - a. is located within the area proposed for annexation;
 - b. covers a majority of the private land area within the area proposed for annexation;
 - c. is equal in value to at least 1/3 of the value of all private real property within the area proposed for annexation; and
 - d. lies contiguous to the present boundary of Francis' corporate limits and is described in the attached Exhibit A, and is particularly located:

at the southeast corner of the intersection of W. Lambert Ln. and S. Hallam Rd.
4. Title to the property by those signing this petition is as shown in the deeds or title report attached hereto as Exhibit B. (Copies of the deed accompanies this petition.)
5. The manner in which it was established that at least 1/3 of the value of all the private property sought to be annexed is owned by the signers of this petition is shown in the attached *Exhibit C*.
6. The total acres of private land and total assessed value of all private lands sought to be annexed are 80.18 acres and \$370,482 assessed value. The ownership interests and assessed values of the privately-owned lands included in this annexation petition are shown in Exhibit C. *The total acreage of the entire annexation may contain more acreage due to the inclusion of public roads, public lands, or minor deed and title issues.*
7. The petitioners have caused an accurate map of the above-described property to be prepared by Bing Christensen, P.L.S. a licensed surveyor, and Summit Engineering Group, Inc., which map is attached herewith as Exhibit D

8. This petition does not propose annexation of all or a part of an area proposed for annexation in a previously filed petition that has not been denied, rejected, or granted;
9. This petition does not propose annexation of all or a part of an area proposed to be incorporated in a request for a feasibility study under Section 10-2-103 U.C.A. or a petition under Section 10-2-125, U.C.A. if:
 - a. the request or petition was filed before the filing of the annexation petition, and
 - b. the request, a petition under Section 10-2-109 based on that request, or a petition under Section 10-2-125 is still pending on the date the annexation petition is filed;
10. The petitioners request the property, if annexed, be zoned AG-1 as per the Francis City Zoning Map

WHEREFORE, the Petitioners hereby request that this Petition be considered by the Francis City Council at its next regular meeting, that a resolution be adopted accepting this Petition for Annexation for further consideration, and that the governing body take such steps as required by law to complete the annexation herein petitioned.

Dated this 11th day of October, 2018

PETITIONERS

Contact Sponsor/Petitioner

Cathie Chart, Manager
Hart Ranch LLC,
a Utah limited partnership

605 E. 4055 S., Salt Lake City, UT 84107

Phone No. 801-694-5296

Email cathiechart@gmail.com

EXHIBIT 'A'

HART ANNEXATION BOUNDARY

BEGINNING AT THE NORTHWEST CORNER OF SECTION 29, TOWNSHIP 2 SOUTH, RANGE 6 EAST, SALT LAKE BASE AND MERIDIAN, SAID CORNER MONUMENTED BY A PK NAIL IN ASPHALT;
THENCE NORTH 89°35'19" EAST 2652.52 FEET ALONG THE SECTION LINE;
THENCE SOUTH 00°05'42" EAST 1327.35 FEET ALONG THE WESTERLY BOUNDARY OF ANNEXATION ENTRY NUMBER 627908;
THENCE TO AND ALONG THE NORTH BOUNDARY OF WILD WILLOW PHASE 2E SUBDIVISION (ENTRY #824550) THE FOLLOWING SIX (6) COURSES: (1) SOUTH 89°46'00" WEST 271.29 FEET; (2) SOUTH 84°00'36" WEST 52.93 FEET; (3) NORTH 89°25'21" WEST 196.71 FEET; (4) THENCE SOUTH 89°24'56" WEST 527.03 FEET; (5) NORTH 89°04'47" WEST 159.23 FEET; (6) SOUTH 86°54'24" WEST 127.47 FEET;
THENCE NORTH 00°07'01" EAST 1.43 FEET TO THE NORTHEAST CORNER OF THE UINTA WILLOWS PHASE 2 SUBDIVISION (ENTRY #1076145);
THENCE SOUTH 89°43'32" WEST 1321.28 FEET ALONG THE NORTH BOUNDARY OF SAID UINTA WILLOWS PHASE 2 SUBDIVISION TO A POINT ON THE SECTION LINE;
THENCE NORTH 00°01'54" EAST 1327.54 FEET ALONG THE SECTION LINE TO THE POINT OF BEGINNING.
CONTAINING 80.96 ACRES

EXHIBIT 'B',

DEEDS OF PETITIONERS

01044886 B: 2351 P: 1170

Page 1 of 2

Mary Ann Trussell, Summit County Utah Recorder

05/11/2016 03:46:31 PM Fee \$14.00

By SILVER LEAF TITLE INSURANCE AGENCY

Electronically Recorded

WHEN RECORDED MAIL TO:

Grantee

605 East 4055 South Salt Lake City, UT 84107

WARRANTY DEED

HART RANCH LLC

of Salt Lake City, Salt Lake County, State of Utah HEREBY CONVEYS AND WARRANTS TO

Grantee,

HART RANCH LLC

Grantee,

of Salt Lake City, Salt Lake County, State of Utah, for the sum of TEN DOLLARS and other good and valuable consideration, the following described tract of land in ~~SALT LAKE~~ ^{SUMMIT} County, State of Utah, to-wit:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

*This WD is being recorded to change the legal description per the ALTA/ACSM Land Title Survey dated June 14, 2011.

TAX ID #CD-2039, CD-2039-A, CD-2039-B

LESS AND EXCEPTING any and all water rights associated herewith.

Subject to easements, restrictions and rights of way appearing of record and enforceable in law and subject to 2016 taxes and thereafter.

WITNESS the hand of said grantor, this 6th day of ^{May} March, 2016.

HART RANCH LLC

By: Cathie Hart

Its: Manager

State of Utah

County of Salt Lake

On the 6th day of ^{May} March, 2016, personally appeared before me, Cathie Hart, who is the Manager for HART RANCH, LLC, personally known or proved to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity and that his/her signatures on the instrument the person or the entity upon behalf of which the person acted, executed the same.

Laurie Jensen
NOTARY PUBLIC

RESIDING AT: Salt Lake City, Utah
MY COMMISSION EXPIRES: 3-24-2018

COURTESY RECORDING

This document is being recorded solely as a courtesy and an accommodation to the parties named therein. SILVER LEAF TITLE INSURANCE AGENCY, LLC hereby expressly disclaims any responsibility or liability for the accuracy of the content thereof.

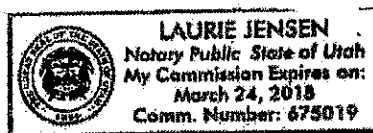


EXHIBIT "A"

PARCEL 1:

BEGINNING AT THE NORTHWEST CORNER OF SECTION 29, TOWNSHIP 2 SOUTH, RANGE 6 EAST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE NORTH 89°28'21" EAST 297 FEET; THENCE SOUTH 00°10'15" WEST 198 FEET; THENCE SOUTH 89°28'21" WEST 287 FEET; THENCE NORTH 00°10'15" EAST ALONG THE SECTION LINE 198 FEET TO THE POINT OF BEGINNING. LESS AND EXCEPTING THEREFROM THAT PORTION DEEDED TO THE TOWN OF FRANCIS, IN THE WARRANTY DEED RECORDED AUGUST 28, 1995 AS ENTRY No. 436190 IN BOOK 903 AT PAGE 837 OF OFFICIAL RECORDS, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT LOCATED 134.37 FEET SOUTH 0°10'15" WEST, ALONG THE SECTION LINE, AND 32.02 FEET SOUTH 89°49'45" EAST FROM THE NORTHWEST CORNER OF SECTION 29, TOWNSHIP 2 SOUTH, RANGE 6 EAST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE SOUTH 89°49'45" EAST 40.0 FEET; THENCE SOUTH 0°10'15" WEST 40.0 FEET; THENCE NORTH 89°49'45" WEST 40.0 FEET; THENCE NORTH 0°10'15" EAST 40.0 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

BEGINNING AT A POINT WHICH IS 297 FEET NORTH 89°28'21" EAST ALONG THE SECTION LINE FROM THE NORTHWEST CORNER OF SECTION 29, TOWNSHIP 2 SOUTH, RANGE 6 EAST, SALT LAKE BASE AND MERIDIAN; THENCE NORTH 89°28'21" EAST ALONG SAID SECTION LINE 1037 FEET; THENCE SOUTH 00°10'15" WEST 233 FEET; THENCE SOUTH 89°28'21" WEST 1334 FEET; THENCE NORTH 90°10'15" EAST ALONG SAID SECTION LINE 35 FEET; THENCE NORTH 89°28'21" EAST 297 FEET; THENCE NORTH 00°10'15" EAST 198 FEET TO THE POINT OF BEGINNING.

PARCEL 3:

BEGINNING AT A POINT WHICH IS 1334 FEET NORTH 89°28'21" EAST ALONG THE SECTION LINE FROM THE NORTHWEST CORNER OF SECTION 29, TOWNSHIP 2 SOUTH, RANGE 6 EAST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE NORTH 89°28'21" EAST ALONG THE SAID SECTION LINE 656.20 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29; THENCE SOUTH 00°10'15" WEST 1329.68 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF SAID WEST HALF; THENCE SOUTH 89°28'21" WEST 1989.20 FEET, MORE OR LESS, TO THE WEST LINE OF SAID SECTION 29; THENCE NORTH 00°10'15" EAST ALONG SAID WEST LINE 1096.68 FEET; THENCE NORTH 89°28'21" EAST 1334 FEET; THENCE NORTH 00°10'15" EAST 233 FEET TO THE POINT OF BEGINNING.

EXHIBIT 'C'

PROPERTY VALUATION & ACREAGE

EXHIBIT 'C'

ACREAGE WITHIN PROPOSED HART RANCH ANNEXATION

Annexation requires the "majority of the private land area" and "equal in value to at least 1/3 of the value of all private real property" within the area proposed for annexation.

Private Property Owned by Petitioners

Property Owner	Parcel No.	Acreage	Market Value
Hart Ranch LLC	CD-2039-A	1.31	\$ 20,305
Hart Ranch LLC	CD-2039	5.79	\$ 148,245
Hart Ranch LLC	CD-2039-B	53.58	\$ 148,042
TOTALS		60.68 acres	\$ 316,592

Other Private Properties Included in Annexation Petition

Property Owner	Property Serial No.	Acreage	Market Value
Thomas Earl Bates, et al	CD-2038	19.50	\$ 53,900
TOTALS		19.50 acres	\$ 53,900

Total acres of Private Property of Annexation Petition=	80.18
Total Value of Private Property Annexation Petition =	\$370,492
Percentage of Annexation Land Owned by Petitioners =	76%
Percentage of Property Value owned by Petitioners =	85%

EXHIBIT 'D'

ANNEXATION MAP