

**VILLAGE OF EPHRAIM PLAN COMMITTEE
WORKING SESSION MEETING MINUTES
TUESDAY, OCTOBER 29, 2024 - 12:00 PM
9996 WATER STREET**



Present: Andy Bartelt, Grace Held, Monique McClean, Ken Nelson, Susie Samson, B.D. Thorp, and Michael McCutcheon - Chair.

Absent: Ken Nelson.

Staff: Brent Bristol - Village Administrator and Kim Roberts - Deputy Clerk.

Guests in person: Robert and Cheryl Moore and David Hatch.

Guests online: None.

Call to Order: McCutcheon called the working session to order at 12:00 PM.

Bristol introduced the Multi-Family Ordinance topic for the working session. He explained that the Multi-Family Ordinance had been removed from the Ephraim Code of Ordinances. With the recent rezoning of the Hatch property and their desire to have a duplex on the property, it is time to move forward to get something written. He reviewed the definitions of the previous ordinance explaining that single-family and duplex would be referred to as residential and multi-family is three (3) or more units. State building code definitions outline that three (3) units or more under one (1) roof are commercial buildings. He asked the Committee questions to help narrow down his ability to draft an ordinance for the Committee to work from in subsequent meetings. He noted that the Committee first needed to decide if they wanted to include multi-family buildings, multi-family developments, duplexes, and the like in the ordinance. Bristol discussed some of the options of where the various code could live within the residential or commercial zoning code. Then the Committee could work on densities. He asked the Committee how they wanted to treat duplexes, do we want to see multi-family and if so at what density, and do we want to differentiate between multi-family under one (1) roof as an apartment-style building or density a development like Townline 1 LLC/ Velvaere (standalone single-family homes as a part of a multi-family development).

A discussion was held regarding the multi-family ordinance. McClean felt that there needed to be verbiage to cover all the options such as a duplex in a residential district, duplex as a conditional use in a commercial zone dependent on density, and a multi-family under one (1) roof in the commercial zone with a specified density. The Committee discussed the process of a residentially zoned property being rezoned to commercial (must be adjacent to commercially zoned property).

Further discussion included further limiting density by building separation. Bristol reviewed the current acreage minimums for the commercial and residential districts. McCutcheon asked what we were trying to prevent with the ordinance. Bartlet added on to ask if the intent was to treat each of the zoning codes distinctly. Bristol asked the Committee if they wanted to reduce the density from eight (8) per acre in the commercial zone to six (6) or even four (4) for standalone dwellings. Bristol also reviewed the minimum required for newly constructed single-family dwellings (3,000 square feet of footprint/5,000 square feet of living space), he noted that a duplex could be simply doubled or pull back from that. An apartment would have to be reduced from one thousand square feet (1,000 ft²), Bristol noted. Held felt that four (4) units per acre was reasonable. Bristol reminded the Committee that R1 had one (1) acre minimum and in the commercial district you can build one home per lot of record so one home per acre and a half.

Robert Moore commented that the discussion was a multi-faceted problem. There is the preservation of the historic area that we all love, a density issue, and a lack of emergency response infrastructure to continue to build. He suggested a shovel tax to support infrastructure to support the increased population deriving from new construction. He felt that the shovel tax would mitigate rapid growth. He further suggested looking at the height of development.

A discussion was held regarding multi-family dwellings. McClean asked if the Committee was trying to avoid having apartments, and do we want to see a hotel, she asked. McCutcheon asked the Committee if they were in favor of apartments or hotels. He noted he was in favor of apartments as a way to have more full-time residents

that have a stake in Ephraim as opposed to increased summer visitors. The density is getting to the point in the summertime that we are unable to move around. He felt the new ordinance should prevent additional hotels from being built. He stressed promoting apartments over hotels. Bartlett felt McCutcheon's argument was pretty good; he was not a fan of a lot of apartments but wasn't sure why. Thorp preferred apartments but with single-story with one (1) roof line instead of multi-story. Samson preferred apartments. Held also preferred apartments over hotels which might result in more affordable housing. McClean preferred a mix of socioeconomic levels of housing; apartments are good.

A summary of the starting points for a draft multi-family / duplex ordinance:

- Standalone residential multi-family housing units should be decreased to four (4) from eight (8) per acre as a starting point.
- Multi-family should only exist in commercial districts.
- Duplexes are to be a permitted use in all commercial districts with a starting point of doubling the requirements of a single-family home (3,000 square feet of footprint/5,000 square feet of living space).
- As a starting point allow duplexes on the same minimum size lot.

The Committee continued with a discussion regarding Accessory Structures. Bristol reviewed the contradictions within the ordinance relating to the definitions and interchangeable use of the words "structure" and "building". He further noted that all buildings are structures but not all structures are not necessarily buildings. He added that due to recent applications, the Committee needs to look at definitions of building, accessory building, structure, principal structure, and accessory structure. He referenced 17.15(b)(2), "*No more than one accessory building shall be permitted on a lot in a residential district. Additional accessory buildings shall only be allowed by conditional use.*" The question of how many is too many and how big is too big only applies to a building. He noted that a carport, for example, is a structure because it is not enclosed. A garage is a building. Bristol suggested that the Committee begin the conversation with the definitions. He suggested adding a definition of "enclosure".

Further discussion included the process of constructing or installing an accessory structure. Bristol explained that a conditional use would not be triggered for an accessory structure as long as dimensional standards such as impervious surface and setbacks were met behind a principle structure. A building, however, would trigger the need for a conditional use. Bristol further explained that as written, there is no maximum quantity stated for accessory structures. Bristol reviewed that county zoning does not define the number of accessory structures on a parcel but sets a maximum can not be more than four thousand square feet (4,000 ft²) of allowable outbuildings.

The meeting adjourned at 1:00 PM.

Recorded by, Kim Roberts – Deputy Clerk