



SYRACUSE CITY

Syracuse City Council Work Session Notice

April 8, 2014 – 6:00 p.m.
Municipal Building, 1979 W. 1900 S.

Notice is hereby given that the Syracuse City Council will meet in a work session on Tuesday, April 8, 2014, at 6:00 p.m. in the large conference room of the Municipal Building, 1979 W. 1900 S., Syracuse City, Davis County, Utah. The purpose of the work session is to discuss/review the following items:

- a. Review agenda for business meeting to begin at 7:00 p.m. (5 min.)
- b. Review agenda items forwarded by the Planning Commission: (15 min.)
 - i. Agenda item 7: Proposed Ordinance 14-07 amending the zoning map of Title 10 by changing from Agriculture (A-1) Zone to Residential (R-3) Zone the parcel of property located at approximately 1900 S. 1000 W.
 - ii. Agenda item 9: Proposed Ordinance 14-01 amending various sections of Title Ten of the Syracuse City Code pertaining to land use relative to two-family attached dwellings, basement apartments, and accessory dwelling units.
- c. Review Amendment Process for Personnel Policy and Procedures Manual. (15 min.)
- d. Informational discussion regarding fund balance policies. (10 min.)
- e. Council business. (5 min.)

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In compliance with the Americans Disabilities Act, persons needing auxiliary communicative aids and services for this meeting should contact the City Offices at 801-825-1477 at least 48 hours in advance of the meeting.

#### CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted within the Syracuse City limits on this 3<sup>rd</sup> day of April, 2014 at Syracuse City Hall on the City Hall Notice Board and at <http://www.syracuseut.com/>. A copy was also provided to the Standard-Examiner on April 3, 2014.

CASSIE Z. BROWN, CMC  
SYRACUSE CITY RECORDER



# COUNCIL AGENDA

April 8, 2014

Agenda Item #b.i Proposed Ordinance 14-07 amending the zoning map of Title 10 by changing from Agriculture (A-1) Zone to Residential (R-3) Zone the parcel of property located at approximately 1900 S. 1000 W.

### *Factual Summation*

Please see the following attachments:

- Current/Proposed Zoning Map
- Aerial
- Tivoli Gardens Sketch Plat
- Proposed Ordinance 14-07

Any question regarding this agenda item may be directed at Sherrie Christensen, Community & Economic Development Director.

**Item:** Proposed Ordinance No. 14-07, amending the existing zoning map of Title Ten, “Syracuse City Zoning Ordinance”, by changing from A-1 Agriculture to R-3 Residential on the parcel located at approximately 1900 S 1000 W (19.5 Acres)

### **Background**

This property consists of 19.5 acres and is currently zoned Agriculture. The applicant has requested to rezone the property to R-3 Residential as designated on the City’s General Plan. The applicant has indicated his intent is to develop single family residential lots, as depicted in the attached sketch plan.

City staff has reviewed the application and finds that it is consistent with the City’s General plan and that it is harmonious with the overall character of the surrounding development with no adverse effects, and it has adequate facilities to serve the property.

The Planning Commission held a public hearing on April 1, 2014 for rezone request on the above noted property. The property is 19.5 acres in size and is currently zoned Agriculture with a General Plan designation of R-3. The proposed zone change is in accord with the General Plan as amended.

**Recommendation for City Council Approval of the Wright Development Rezone Request**

The Syracuse City Planning Commission hereby recommends that the City Council approve the rezone request, located at approx. 1900 S 1000 W, change from A-1 Agricultural to R-3 Residential.

**ORDINANCE NO. 14-07**

**AN ORDINANCE AMENDING THE EXISTING ZONING MAP OF TITLE X, "SYRACUSE CITY ZONING ORDINANCE", REVISED ORDINANCES OF SYRACUSE, 1971, BY CHANGING FROM AGRICULTURE (A-1) ZONE TO RESIDENTIAL 3 (R-3) ZONE ON THE PARCEL(S) OF REAL PROPERTY HEREIN DESCRIBED.**

**WHEREAS**, the City has adopted a Zoning Ordinance to regulate land use and development within the corporate boundaries of the City; and

**WHEREAS**, Chapter Four of the Ordinance authorizes the City Council to amend the number, shape, boundaries, or any area of any zone; and

**WHEREAS**, a request for rezone has been made; the same has been recommended for approval by the Planning Commission; and a public hearing has been held with the proper notice having been given 10-days prior to the hearing date;

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE CITY COUNCIL OF SYRACUSE DAVIS COUNTY, STATE OF UTAH, AS FOLLOWS:**

**SECTION 1:** That the following described real parcels of property in Agriculture (A-1) Zone as shown on a zoning map are hereby amended and changed to Residential 3 (R-3) Zone accordingly:

**Deed Description**

BEG 660 FT S FR NE COR SEC 15, T4N-R2W SLM: W 1320 FT; S 660 FT; E 1320 FT; TH N 660 FT TO BEG, LESS ST, CONT 19.50 ACRES. Parcel 12-086-0013.

Said property is located at approximately 1900 S 1000 W.

**SECTION 2: Effective Date.** This Ordinance shall become effective immediately upon publication or posting.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF SYRACUSE CITY, STATE OF UTAH, THIS 8<sup>TH</sup> DAY OF APRIL, 2014.**

**SYRACUSE CITY**

ATTEST:

\_\_\_\_\_  
Cassie Z. Brown, City Recorder

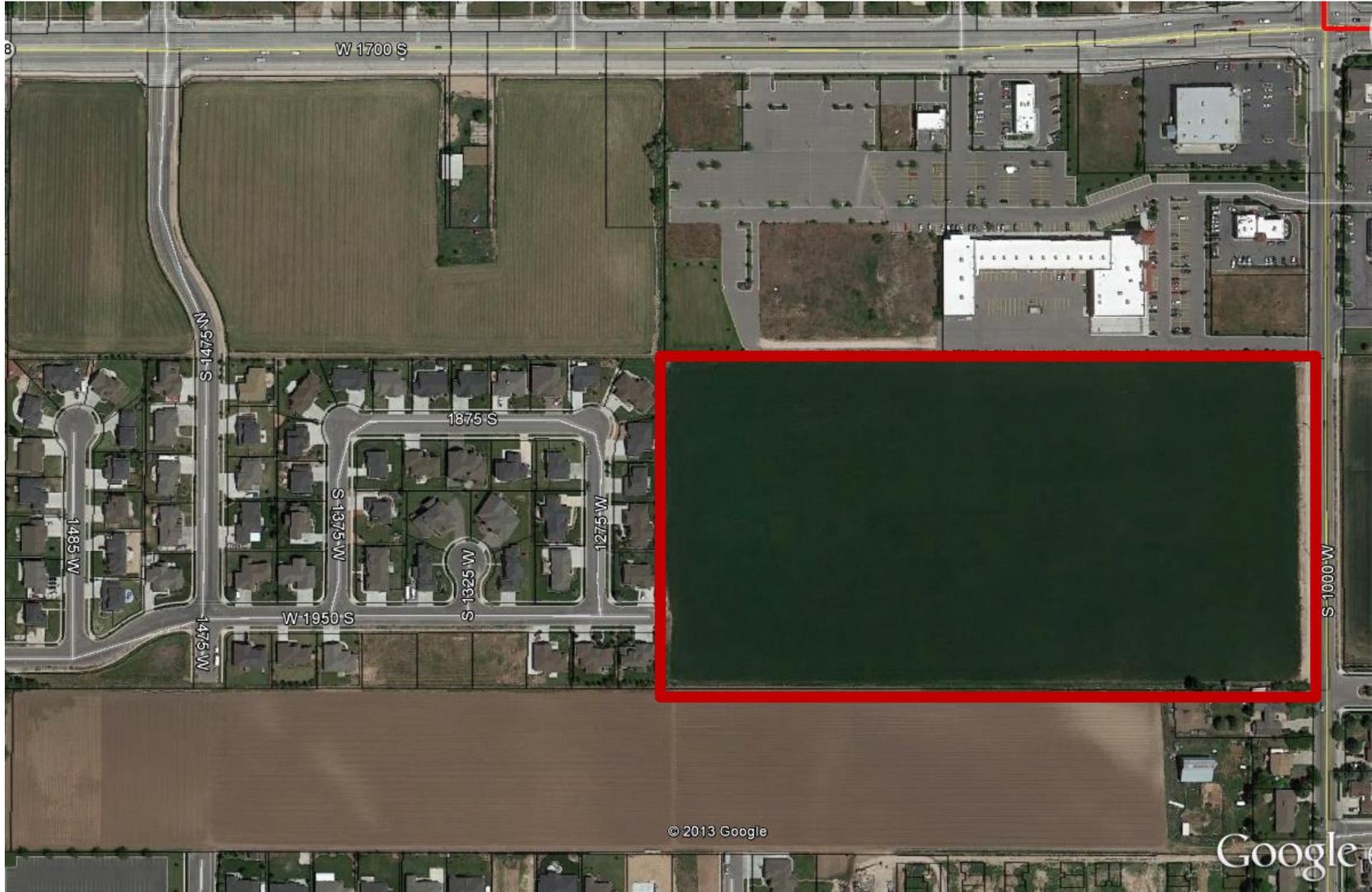
\_\_\_\_\_  
Mayor Terry Palmer

Voting by the City Council:

|                        | “AYE” | “NAY” |
|------------------------|-------|-------|
| Councilmember Peterson | _____ | _____ |
| Councilmember Lisonbee | _____ | _____ |
| Councilmember Duncan   | _____ | _____ |
| Councilmember Johnson  | _____ | _____ |
| Councilmember Gailey   | _____ | _____ |



# Tivoli Gardens 1000 W 1900 S Wright Development Group





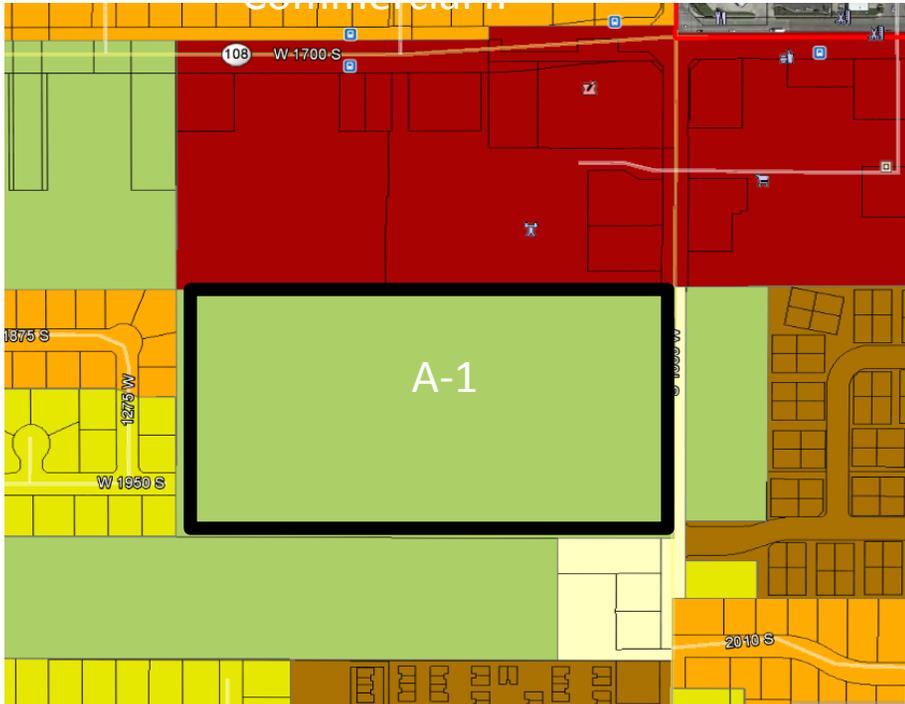
# Zone Change Request

## 1000 W 1900 S

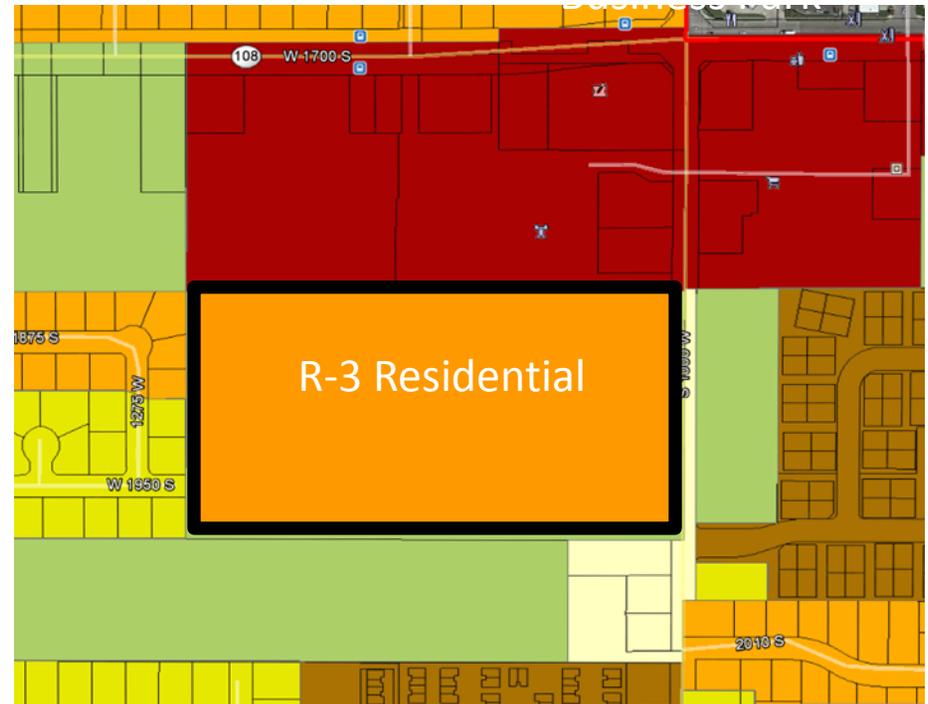
### Wright Development Group



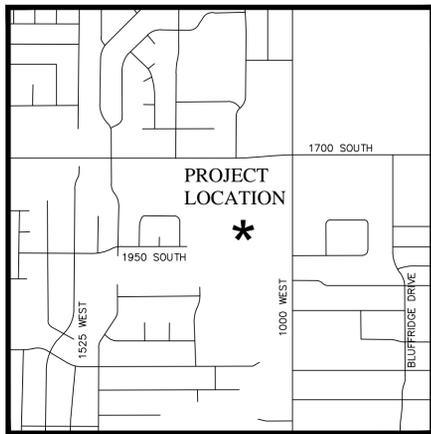
Current Zoning



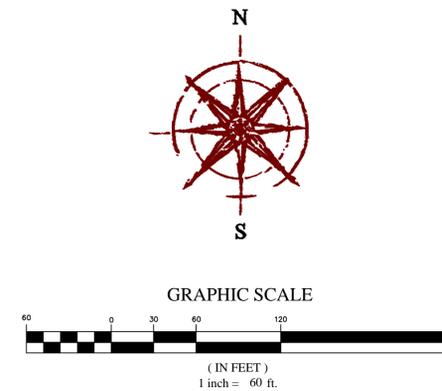
Proposed Zoning



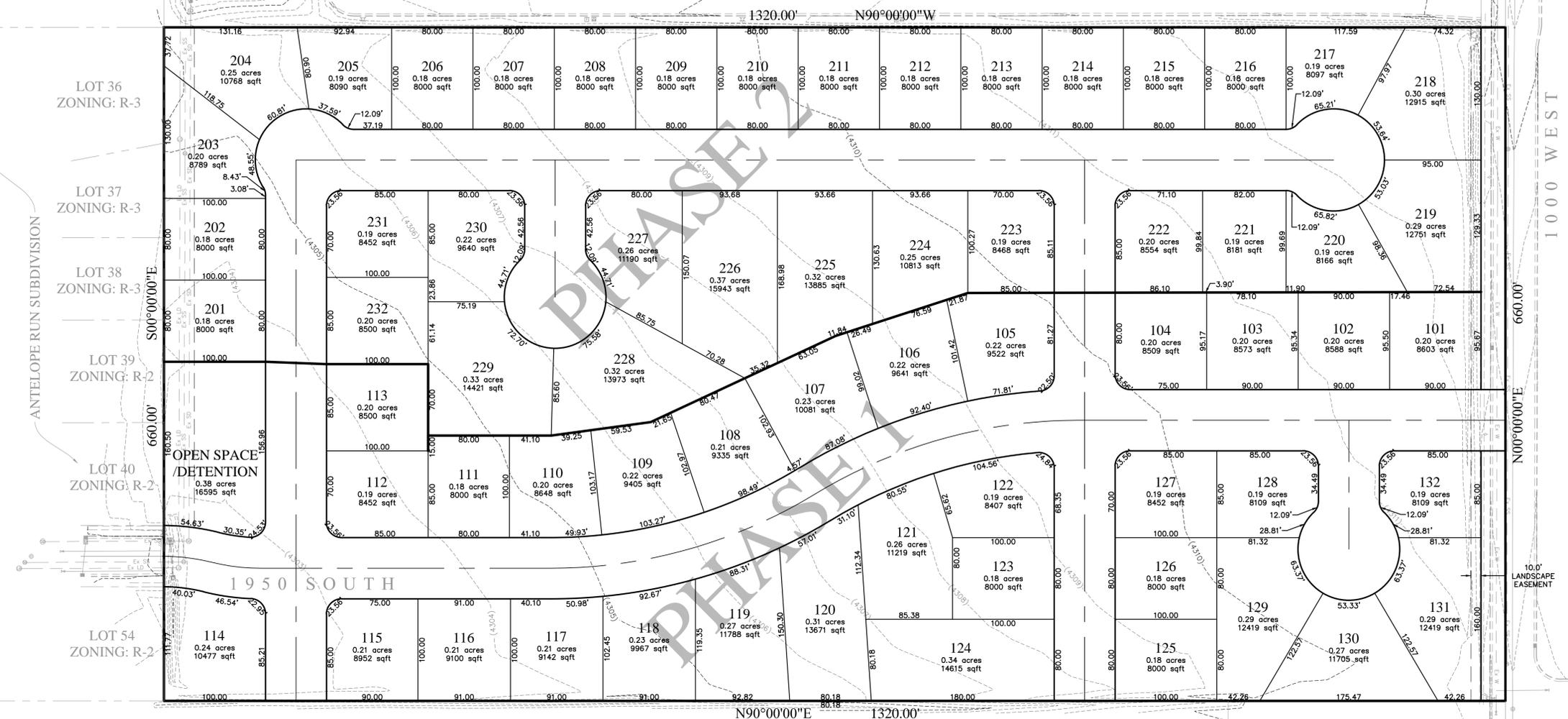
- |                                                                                     |                                    |                                                                                       |                          |
|-------------------------------------------------------------------------------------|------------------------------------|---------------------------------------------------------------------------------------|--------------------------|
|  | Agriculture A-1                    |  | Commercial II            |
|  | R-1 (2.90 dwellings per net acre)  |  | General Commercial Zone  |
|  | R-2 (3.79 dwellings per net acre)  |  | Industrial Zone          |
|  | R-3 (5.44 dwellings per net acre)  |  | Town Center Overlay Zone |
|  | PRD (8.0 dwellings per net acre)   |  | Sensitive Overlay Zone   |
|  | R-4 (14.52 dwellings per net acre) |  | RDA & EDA Boundary       |
|  | Professional Office                |                                                                                       |                          |



VICINITY MAP  
N.T.S.



DESERTSCAPE SUBDIVISION  
ZONING: GC





# COUNCIL AGENDA

April 8, 2014

Agenda Item #**b.ii** Title X Amendments-Two Family Dwellings, Basement Apartments, Accessory Apartments

## ***Factual Summation***

Please see the attached:

- a. Proposed Ordinance 14-01, amendment to Title X
- b. Redline Title X

Any question regarding this agenda item may be directed at Sherrie Christensen, Community & Economic Development Director.

## **Background**

The Planning Commission has been reviewing Title X for the past few months regarding Two Family Dwellings, Basement Apartments and Accessory Apartments. The proposed amendments provide limits and regulations for two family dwellings that have previously been allowed in all residential zones. These amendments will demonstrate compliance with State of Utah requirements to address moderate income housing in our City. The proposed ordinance reflects the recommended changes from the Planning Commission.

The Planning Commission held a public hearing on the proposed amendments on January 21, 2014. At a public meeting that same night the Planning Commission recommended to the City Council the adoption of the proposed amendments.

The areas highlighted in yellow indicated the amendments directed by the Council at the last work session.

## **Summary of Amendments**

|                   |                                                                                                                    |
|-------------------|--------------------------------------------------------------------------------------------------------------------|
| Section 10.10.040 | Adds definition of an accessory dwelling unit, clarifies definition of multi-family dwelling and dwelling.         |
| Section 10.55.030 | Adds accessory dwelling as a conditional use in the A-1 zone                                                       |
| Section 10.60.030 | Deletes Two-family dwellings (duplexes) and replaces with accessory dwelling as a conditional use in the R-1 zone. |
| Section 10.65.030 | Deletes Two-family dwellings (duplexes) and replaces with accessory dwelling as a conditional use in the R-2 zone. |

- Section 10.70.030 Deletes Two-family dwellings (duplexes) and replaces with accessory dwelling as a conditional use in the R-3 zone.
- Section 10.30.020(D) Provides regulations for two-family dwellings in the PRD zone & Cluster Subdivisions with the following requirements:
- Increases the lot size requirement for duplex lot from 8,000 sq. ft. to 11,000 sq. ft. and lot width/frontage from 80 feet to 100 feet.
  - Restricts rental of dwelling to long term rental, not nightly or weekly rentals.
  - Provides design guidelines that restrict the look and feel of the structure, so that that the structure appears similar to a single family dwelling and has a lesser visual impact on the neighborhood.
- Section 10.30.020(E) Provides regulations for accessory dwellings (currently permitted as two-family dwellings) in residential zones with the following requirements:
- Requires one unit to be owner occupied.
  - Limits 1 accessory unit per lot
  - Provides for increased setback requirement for new accessory unit construction, which is detached from the main dwelling.
  - Provides for required increased lot size by 3,000 sq. ft. for accessory units in detached structures and prohibits them in Cluster Subdivisions.
  - Restricts nightly rentals.
  - Restricts home occupations in accessory unit
  - Requires increased setback if windows are placed on walls adjacent to abutting properties.
  - Provides size restrictions for minor CUP:
    - Basement or attic 50% gross sq. ft.
    - Attached 650 sq. ft.
  - Provides size restrictions for major CUP:
    - Detached 50% gross sq. ft.
  - Requires parking based upon the number of bedrooms in the accessory unit.
  - Requires entrance to accessory unit from the side or 20' to the rear of main dwelling entrance.
  - Requires detached structure to be compatible architecture and materials of main dwelling.

**Recommendation for City Council Approval of Ordinance 14-01, Various Sections, Title X**

The Syracuse City Planning Commission hereby recommends that the City Council approve the adoption of Ordinance 14-01, Amending Title X.

**ORDINANCE NO. 14-01**

**AN ORDINANCE AMENDING VARIOUS SECTIONS OF TITLE X OF THE SYRACUSE CITY MUNICIPAL CODE PERTAINING LAND USE.**

**WHEREAS**, due to the pace of growth in the City there are from time to time small proposed changes to various City ordinances that are warranted; and

**WHEREAS**, these small proposed changes come to the attention of the Planning Commission through varied means including but not limited to questions, concerns or complaints from the general public and or from developers that are seeking clarification on the language in the City code; and

**WHEREAS**, the Planning Commission takes each question or concern under consideration and addresses it on case-by-case basis in a fair and judicious manner paying specific attention to the reasonableness and legality of the request as well as the reasonableness and legality of the City's own ordinances; and

**WHEREAS**, after such consideration Planning Commission will either support and sustain current ordinances as adopted or in other cases have staff research and address each proposed change and put forth amendments to existing ordinances; and

**WHEREAS**, the Planning Commission now hereby wishes to amend various sections of Title X to address such proposed changes.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF SYRACUSE CITY, STATE OF UTAH, AS FOLLOWS:**

**Section 1. Amendment.** The following sections of Syracuse City Municipal Code are hereby amended as follows:

**10.10.040 Definitions. (former section 10-2-040)**

"Dwelling" means a building or portion thereof designed and used for residential occupancy, including single-family, two-family, and multifamily, but does not include boarding, rooming, or lodging houses, tents, yurts, trailers, motels, cottage camps, or similar structures designed and used primarily for transient residential uses.

"Dwelling group" means a group of two or more detached buildings used as residences-dwellings located on a parcel of land under one ownership and having a yard or court in common.

"Dwelling, multifamily" means a building containing not less more than two dwelling units.

"Dwelling, single-family" means a building designed with accommodations for and occupied by one family only.

“Dwelling, two-family” means a building under single ownership containing two dwelling units, designated for occupancy by not more than two families.

“Dwelling, two-family-~~attached~~ (~~duplex/twin home~~)” means a single-family dwelling attached to another single-family dwelling by a common wall or floor with both dwellings located on the same lot.

“Dwelling unit” means a building or portion thereof that provides separate and independent living, cooking, sleeping, and sanitation facilities for one family.

“Dwelling, Accessory” means an additional living quarters on a single-family lot that is independent of the primary dwelling unit. The accessory dwelling unit shall be a complete housekeeping unit with a shared or separate entrance, separate kitchen, sleeping area, closet space , and bathroom facilities.

### **(A-1 Zone)**

#### **10.55.030 Conditional uses. (former section 10-11-030)**

The following, and no others, may be conditional uses permitted after application and approval as specified in SCC 10.20.080.

(A) Accessory uses and buildings (200 square feet or greater) (minor).

(B) Cluster subdivisions (major).

(C) Day care centers (major).

(D) Dog kennels (minor).

(E) Dwelling, Accessory (Major/Minor see SCC 10.30.020)

(~~E~~F) Educational services, private (minor).

(~~F~~G) Greenhouses (minor).

(~~G~~H) Home occupations (major).

(~~H~~I) Private parks and recreational activities (minor).

(~~I~~J) Public and quasi-public buildings (major).

(JK) Sewage treatment plants (major).

(KL) Stables, public (minor).

(LM) Temporary commercial uses (see SCC 10.35.050) (minor). [Ord. 11-10 § 5; Ord. 11-02 § 1 (Exh. A); Ord. 10-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Ord. 03-18; amended 1991; Code 1971 § 10-11-030.]

**(R-1 Zone)**

**10.60.030 Conditional uses. (former section 10-12-030)**

The following, and no others, may be conditional uses permitted after application and approval as specified in SCC 10.20.080.

(A) Accessory uses and buildings (200 square feet or greater) (minor).

(B) Apiaries (minor).

(C) Cluster subdivisions (major).

(D) Day care centers (major).

(E) Dog kennels (minor).

(F) Dwellings, ~~two-family (major)~~ Accessory (Major/Minor see SCC 10.30.020).

(G) Dwelling groups (major).

(H) Greenhouses (minor).

(I) Home occupations (major).

(J) Private parks and recreational activities (minor).

(K) Temporary commercial uses (see SCC 10.35.050) (minor).

(L) Temporary use of buildings (See SCC 10.30.100(A)(9)) (minor). [Ord. 11-13 § 3; Ord. 11-10 § 6; Ord. 11-02 § 1 (Exh. A); Ord. 10-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Ord. 03-18; amended 1991; Code 1971 § 10-12-030.]

**(R-2 Zone)**

**10.65.030 Conditional uses. [\(former section 10-13-030\)](#)**

The following, and no others, may be conditional uses permitted after application and approval as specified in SCC 10.20.080.

(A) Accessory uses and buildings (200 square feet or greater) (minor).

(B) Apiaries (minor).

(C) Day care centers (major).

(D) Dwellings, ~~two-family (major)~~ [Accessory \(Major/Minor see SCC 10.30.020\)](#).

(E) Dwelling groups (major).

(F) Dog kennels (minor).

(G) Home occupations (major).

(H) Temporary commercial uses (see SCC 10.35.050) (minor).

(I) Temporary use of buildings (see SCC 10.30.100(A)(9)) (minor). [Ord. 11-10 § 7; Ord. 11-04 § 3; Ord. 11-02 § 1 (Exh. A); Ord. 10-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Ord. 03-18; amended 1998; Code 1971 § 10-13-030.]

**(R-3 Zone)**

**10.70.030 Conditional uses. [\(former section 10-14-030\)](#)**

The following, and no others, may be conditional uses permitted after application and approval as specified in SCC 10.20.080.

(A) Accessory uses and buildings (200 square feet or greater) (minor).

(B) Apiaries (minor).

(C) Day care centers (major).

(D) Dwellings, ~~two-family (major)~~ [Accessory \(Major/Minor see SCC 10.30.020\)](#).

(E) Home occupations (major).

(F) Temporary commercial uses (see SCC 10.35.050) (minor).

(G) Temporary use of buildings (see SCC 10.30.100(A)(9)) (minor). [Ord. 11-10 § 8; Ord. 11-04 § 4; 11-02 § 1 (Exh. A); Ord. 10-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Ord. 03-18; amended 1994, 1991; Code 1971 § 10-14-030.]

(Chapter 30, General Land Use Regulations) ([former chapter 6, section 10-6-020](#))

**10.30.020 Regulations for buildings and structures.**

Buildings or structures, where allowed, shall comply with the following regulations specific to each type of structure:

(D) [Dwellings, Two-\[2\] Family Attached.](#)

Two-Family Attached dwelling units as defined in this title shall be subject to the following:

(1) [Two-Family dwelling units are only permitted as a conditional use in the PRD-Planned Residential Zone and in an R-1 Cluster Subdivision, subject to the provisions of this section.](#)

(2) [One two-family dwelling unit is permitted per residential lot.](#)

(3) [Underlying Zoning Applies: Unless specifically provided otherwise in this section, two-family dwelling units are subject to the regulations for a principal building of the underlying zoning district with regard to lot standards, such as building and wall height, setbacks, yard requirements and building coverage.](#)

(4) [Minimum lot area. The minimum lot size for a two-family dwelling shall be that of the underlying zone district, plus an additional 3,000 sq. ft.](#)

(5) [Minimum frontage. The minimum frontage for a two-family dwelling shall be that of the underlying zone district, plus an additional twenty \(20\) feet.](#)

(6) [Building Code Compliance: Two family dwelling units are subject to compliance with current building code at the time of permit approval.](#)

(7) [Two family dwellings shall be required to have separate utility services for each unit.](#)

(8) [Nightly Rental: Neither dwelling unit may be used for nightly/weekly rental.](#)

(9) [Parking: Parking shall be provided such that each unit of a two family dwelling is equal to that parking requirement of a single family dwelling.](#)

(10) Conditional Use Permit Required: A conditional use permit shall be required for a two family dwelling unit in compliance with the standards of review set forth in this code. Applications which do not meet the minimum standards set forth herein for minor conditional use permit and have been denied by the Zoning Administrator may be appealed to the Planning Commission for review.

(11) Occupancy. No two family dwelling shall be occupied until the property owner has obtained a building permit and certificate of final occupancy from the city.

(12) Design Guidelines: Two-family homes shall be designed such that the structure has the appearance of a single family dwelling from the street. To achieve this all new two-family homes shall conform to the following design guidelines:

(a) Only one units garage doors(s) may face each street for which the structure obtains access from, unless single wide tandem parking garages are utilized and are side by side (see figure 1c below).

(b) A shared driveway shall be utilized when both units obtain street access from the same street.

(c) At least one main entryway should be visible from the front of the structure.

(d) Entrances shall be visible and approaches to the front entrance of each dwelling unit should be clearly delineated by improved walkways and landscaping.

(e) There shall be a variation in the wall plane on all facades visible from a public street or public view.

(f) Architectural elements, such as balconies, porches, overhangs, trellises, projections, awnings, insets, materials and textures shall be used to create shadow patterns that contribute to a buildings character and visual interest.

(g) Rooflines shall be broken at intervals no greater than 50 feet long by changes in height or step backs.

This:



Figure 1a

Not This:



Figure 2a



Figure 1b (rear side garage)



Figure 2b (garage prominence)



Figure 1c (single car wide garages)



Figure 2c (garage forward)

(E) Dwelling, Accessory.

Accessory dwelling units as defined in this title shall be subject to the following:

(1) Internal, Attached, or Detached: Accessory dwelling units may be built internal to, attached to, or as a separate unit detached from the principal dwelling on a lot where a single family dwelling exists, in accordance to the standards set forth in this section. Accessory dwelling units are allowed in the following residential zone districts: R-1, R-2, & R-3 subject to the provisions of this section.

(2) Owner Occupant Requirement: Accessory dwelling units shall only be permitted when an owner occupant lives on the property within either the principal dwelling or accessory dwelling unit. Owner occupancy shall not be required when:

(a) The owner has a bona fide, temporary absence of three (3) years or less for activities such as military service, temporary job assignments, sabbaticals, or voluntary service (indefinite periods of absence from the dwelling shall not qualify for this exception); or

(b) The owner is placed in a hospital, nursing home, assisted living facility or other similar facility that provides regular medical care, excluding retirement living facilities or communities.

(3) Deed Restriction: A lot approved for development with an accessory dwelling unit shall have a deed restriction, the form of which shall be approved by the City Attorney, filed with the county recorder's office indicating such owner occupied requirement of the property prior to issuance of a building permit for the accessory dwelling unit by the city. Such deed restriction shall run with the land until the accessory dwelling unit is discontinued, abandoned or revoked.

(4) One accessory dwelling unit is permitted per single family residential lot.

(5) Underlying Zoning Applies: Unless specifically provided otherwise in this section, accessory dwelling units are subject to the regulations for a principal building of the underlying zoning district with regard to lot standards, such as building and wall height, setbacks, yard requirements and building coverage.

(a) An existing accessory structure whose setbacks do not meet the minimum requirements for a principal building may be converted into an accessory dwelling unit, but any noncomplying setbacks may not become more noncomplying.

(b) New construction for an accessory dwelling unit, not contained within the principal building, shall meet the minimum standards for accessory structures, but shall be set back from the rear and side property lines a minimum distance of 5 feet (including eaves) and shall meet all applicable fire separation requirements.

(6) Existing Development On Lot: A single-family dwelling shall exist on the lot or will be constructed in conjunction with the accessory dwelling unit.

(7) Minimum Lot Area: Within permissible zoning districts, the minimum lot area required for an accessory dwelling unit shall be:

(a) Internal: For accessory dwelling units located within the principal single family dwelling, the minimum lot size shall be that of the underlying zone district.

(b) Attached: For accessory dwelling units located with an addition to the single-family dwelling, the minimum lot size shall be that of the underlying zone district.

(c) Detached: For accessory dwelling units located within a detached structure, the minimum lot size shall be that of the underlying zone district, plus an additional 3,000 sq. ft.

(d) Cluster Subdivisions: Detached accessory dwelling units shall be prohibited on single-family lots with less than 10,000 square feet.

(8) Building Code Compliance: Accessory dwelling units are subject to compliance with current building code.

(9) Separate Utility Connections: Separate utility connections shall not be permitted for internal accessory dwelling units. Owners of lots with an accessory dwelling unit shall be charged for two city utility connections, regardless of shared connection.

(10) Not a Unit of Density: Accessory dwelling units are not considered a unit of density and therefore are not included in the density calculation for residential property.

(11) Nightly Rental: Neither dwelling unit may be used for nightly/weekly rental.

(12) Home Occupations: Home occupations [minor] in accessory dwelling units shall only be permitted for those businesses where no clientele visits are made to the property in order to maintain the residential nature of the dwelling unit.

(13) Windows: In a detached accessory dwelling unit, the placement of windows within the accessory dwelling unit shall not be allowed within ten feet (10') of a side yard or rear yard property line.

(14) Methods of Creation: An accessory dwelling unit may only be created through one or more of the following methods:

(a) Conversion of existing living area within a principal structure, such as a basement or attic space;

(b) Addition of floor area to a principal structure;

(c) Construction of a new single family structure with an internal or detached accessory dwelling unit;

(d) Conversion or addition onto an existing accessory structure on a lot, such as to a garage or other outbuilding, where no required parking for the principal dwelling is eliminated by the accessory dwelling unit; or

(e) Construction of a new accessory dwelling unit with a separate detached structure in compliance with applicable lot coverage regulations.

(15) Size of Accessory Dwelling Unit:

(a) Internal accessory dwelling units (basement or attic) shall not exceed fifty percent of the gross square footage of the principal dwelling unit.

(b) Attached accessory dwelling units shall not exceed fifty percent of the gross square footage of the principal dwelling unit or six hundred fifty (650) square feet, whichever is less.

(c) Detached accessory dwelling units shall not exceed fifty (50) percent of the footprint of the main dwelling, excluding the garage, and are permitted as a major conditional use permit, approved by the Planning Commission.

d. The minimum size of an accessory dwelling unit is that size specified and required by the adopted building code of the city.

(16) Ownership: An accessory dwelling unit shall not be sold separately or subdivided from the principal dwelling unit or lot.

(17) Number of Residents: The total number of residents that may reside in an accessory dwelling unit may not exceed the number that is allowed for a "family" as defined in this code.

(18) Parking:

(a) An accessory dwelling unit that contains a studio or single bedroom shall require one additional on-site parking space.

(b) An accessory dwelling unit that contains two (2) or more bedrooms shall require two (2) additional on-site parking spaces. Parking may be provided in tandem for accessory unit only, when sufficient on street parking is also available and the lot is not located within a cul-de-sac.

(19) Location of Entrance to Accessory Dwelling Unit:

(a) Internal or Attached Units: Accessory dwelling units that are internal to or attached to a principal dwelling may take access from an existing entrance on a street-facing front façade of the principal dwelling. No new street facing entrances may be added to the principal dwelling for an accessory dwelling unit unless such access is located at least twenty feet (20') behind the front façade of the principal dwelling unit.

(b) Detached Units: Accessory dwelling units that are detached from the principal dwelling may utilize an existing street-facing façade as long as the entrance is located at minimum of twenty feet (20') behind the front façade of the principal dwelling, or install

a new entrance to the existing or new detached structure for the purpose of serving the accessory dwelling unit as long as the entrance facing the rear or side of the lot.

(c) Corner Lots: On corner lots, existing entrances on the street-facing sides may be used for an accessory dwelling unit, but any new entrance shall be located facing toward the rear property line or interior side yard, or toward the back of the principal dwelling.

(20) Exterior Design: Accessory dwelling units shall be regulated by the following exterior design standards:

(a) The maximum height of a detached accessory structure containing an accessory dwelling unit shall not exceed the height of the principal structure;

(b) An accessory dwelling unit shall be designed and constructed to be compatible with the principal structure and shall meet the minimum standards set forth for the principal dwelling in SCC 10.30.020(B) of this code.

(21) Conditional Use Permit Required: A conditional use permit shall be required for an accessory dwelling unit in compliance with the standards of review set forth in this code. Applications which do not meet the minimum standards set forth herein and have been denied by the Zoning Administrator as a minor conditional use permit, may be appealed to the Planning Commission for review.

(22) Building Permit: A building permit is required for the proposed accessory dwelling unit, regardless of method of creation.

(23) Occupancy. No accessory dwelling unit shall be occupied until the property owner has obtained a building permit and certificate of final occupancy from the city.

**Section 2. Severability.** If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

**Section 3. Effective Date.** This Ordinance shall become effective immediately after publication or posting.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF SYRACUSE CITY,  
STATE OF UTAH, THIS 8<sup>th</sup> DAY OF May, 2014.**

**SYRACUSE CITY**

ATTEST:

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Cassie Z. Brown, City Recorder

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Mayor Terry Palmer

Voting by the City Council:

“AYE” “NAY”

|                        |     |     |
|------------------------|-----|-----|
| Councilmember Peterson | ___ | ___ |
| Councilmember Lisonbee | ___ | ___ |
| Councilmember Duncan   | ___ | ___ |
| Councilmember Johnson  | ___ | ___ |
| Councilmember Gailey   | ___ | ___ |



# COUNCIL AGENDA

April 8, 2014

Agenda Item “c”                      Review Amendment Process for Personnel  
Policy and Procedures Manual

## *Factual Summation*

- Any question regarding this agenda item may be directed at Brody Bovero, City Manager.
- According to Section 1.040. of the Personnel Manual:  
“Personnel practices and procedures are in a constant state of change and the City will review the policies and procedures set forth herein as needed to best serve the needs of the City and its employees. The City reserves the right to unilaterally alter, amend, except or revoke any policy, practice or procedure set forth herein in its sole discretion. All amendments shall be approved in writing by resolution of the City Council. “
- According to Section 1.010 of the Personnel Manual:  
“The purpose of these Personnel Policies and Procedures (“Policies and Procedures”) is to provide guidelines and information for City employees to assist them in performing and pursuing competent and satisfying employment with the City. It is the intent of the City to comply with all Federal and State laws and regulations applicable to the City and/or its employees, whether mentioned herein or not.”
- The discussion item for the work session is to review and clarify the extent to which the Council wants to be involved in making amendments to the Personnel Manual. Currently, the staff or Mayor must go to the Council for an official resolution to make amendments to the Manual, even if those changes are minor or do not have a significant impact on the budget. Does the Council want to keep this process, or would a more streamlined process be preferable? Since the administration of personnel and policies is primarily under the Mayor’s responsibilities, does the City Council want to stay involved at this level?
- Example of an alternative process:
  - If the Mayor feels that a proposed amendment is minor or does not have a significant budgetary impact, he/she can present the proposed changes at a

work session or via written correspondence to the Council. If there are no objections from the Council, the amendments can be made. If a member of Council or Mayor determines the proposed amendment to be significant, or have a significant budgetary impact, then the proposal goes to a business meeting for a vote on the resolution.



# COUNCIL AGENDA

April 8, 2014

Agenda Item “d”                      Information Preparatory to the Fund Balance Policy Discussion at April 22<sup>nd</sup> Work Session

## *Factual Summation*

- Any question regarding this agenda item may be directed at Brody Bovero, City Manager.
- See attached document, which is an outline of recommended best practices from the Government Finance Officers Association. These best practices are created with sound practical knowledge and experience of nationally recognized experts in government finance.
- The GFOA recommends that cities adopt a fund balance policy based on their individual circumstances, but a minimum of two month’s expenses or revenues, or 16.7%.
- Based on the proposed FY2014-15 budgeted revenue of \$9,856,554, two month’s expenses (16.7%) for Syracuse City is approximately \$1,643,000.
- Although the actual number may vary, this year’s estimated year-end fund balance will be \$2,100,000, or 21.3%
- At the Budget Retreat, we briefly discussed the Council Member’s preferences on minimum fund balance, and when it would be appropriate to drawn down below the minimum. There was a variety of opinions on the desired minimum fund balance, ranging from 15% to 20%.
- This agenda item is informational for the City Council Members to consider the following major components of a fund balance policy, which will be discussed at the April 22<sup>nd</sup> work session:
  - What should the minimum fund balance be for the general fund?
  - Under what conditions can the fund balance be drawn below the minimum?

- What measures can be taken, and what revenue sources will be used to replenish the fund balance back to the minimum?
- Staff will be working with Mayor Palmer to propose a fund balance policy at the April 22<sup>nd</sup> Work Session.



## BEST PRACTICE

### **Appropriate Level of Unrestricted Fund Balance in the General Fund (2002 and 2009) (BUDGET and CAAFR)**

**Background.** Accountants employ the term *fund balance* to describe the net assets of governmental funds calculated in accordance with generally accepted accounting principles (GAAP). Budget professionals commonly use this same term to describe the net assets of governmental funds calculated on a government's budgetary basis.<sup>1</sup> In both cases, fund balance is intended to serve as a measure of the financial resources available in a governmental fund.

Accountants distinguish up to five separate categories of fund balance, based on the extent to which the government is bound to honor constraints on the specific purposes for which amounts can be spent: *nonspendable fund balance*, *restricted fund balance*, *committed fund balance*, *assigned fund balance*, and *unassigned fund balance*.<sup>2</sup> The total of the last three categories, which include only resources without a constraint on spending or for which the constraint on spending is imposed by the government itself, is termed *unrestricted fund balance*.

It is essential that governments maintain adequate levels of fund balance to mitigate current and future risks (e.g., revenue shortfalls and unanticipated expenditures) and to ensure stable tax rates. Fund balance levels are a crucial consideration, too, in long-term financial planning.

In most cases, discussions of fund balance will properly focus on a government's general fund. Nonetheless, financial resources available in other funds should also be considered in assessing the adequacy of unrestricted fund balance (i.e., the total of the amounts reported as committed, assigned, and unassigned fund balance) in the general fund.

Credit rating agencies monitor levels of fund balance and unrestricted fund balance in a government's general fund to evaluate a government's continued creditworthiness. Likewise, laws and regulations often govern appropriate levels of fund balance and unrestricted fund balance for state and local governments.

Those interested primarily in a government's creditworthiness or economic condition (e.g., rating agencies) are likely to favor increased levels of fund balance. Opposing pressures often come from unions, taxpayers and citizens' groups, which may view high levels of fund balance as "excessive."

**Recommendation.** The Government Finance Officers Association (GFOA) recommends that governments establish a formal policy on the level of unrestricted fund balance that should be maintained in the general fund.<sup>3</sup> Such a guideline should be set by the appropriate policy body and should provide both a temporal framework and

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<sup>1</sup> For the sake of clarity, this recommended practice uses the terms GAAP fund balance and budgetary fund balance to distinguish these two different uses of the same term.

<sup>2</sup> These categories are set forth in Governmental Accounting Standards Board (GASB) Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions*, which must be implemented for financial statements for periods ended June 30, 2011 and later.

<sup>3</sup> Sometimes restricted fund balance includes resources available to finance items that typically would require the use of unrestricted fund balance (e.g., a contingency reserve). In that case, such amounts should be included as part of unrestricted fund balance for purposes of analysis.

specific plans for increasing or decreasing the level of unrestricted fund balance, if it is inconsistent with that policy.<sup>4</sup>

The adequacy of unrestricted fund balance in the general fund should be assessed based upon a government's own specific circumstances. Nevertheless, GFOA recommends, at a minimum, that general-purpose governments, regardless of size, maintain unrestricted fund balance in their general fund of no less than two months of regular general fund operating revenues or regular general fund operating expenditures.<sup>5</sup> The choice of revenues or expenditures as a basis of comparison may be dictated by what is more predictable in a government's particular circumstances.<sup>6</sup> Furthermore, a government's particular situation often may require a level of unrestricted fund balance in the general fund significantly in excess of this recommended minimum level. In any case, such measures should be applied within the context of long-term forecasting, thereby avoiding the risk of placing too much emphasis upon the level of unrestricted fund balance in the general fund at any one time.

In establishing a policy governing the level of unrestricted fund balance in the general fund, a government should consider a variety of factors, including:

- The predictability of its revenues and the volatility of its expenditures (i.e., higher levels of unrestricted fund balance may be needed if significant revenue sources are subject to unpredictable fluctuations or if operating expenditures are highly volatile);
- Its perceived exposure to significant one-time outlays (e.g., disasters, immediate capital needs, state budget cuts);
- The potential drain upon general fund resources from other funds as well as the availability of resources in other funds (i.e., deficits in other funds may require that a higher level of unrestricted fund balance be maintained in the general fund, just as, the availability of resources in other funds may reduce the amount of unrestricted fund balance needed in the general fund);<sup>7</sup>
- Liquidity (i.e., a disparity between when financial resources actually become available to make payments and the average maturity of related liabilities may require that a higher level of resources be maintained); and
- Commitments and assignments (i.e., governments may wish to maintain higher levels of unrestricted fund balance to compensate for any portion of unrestricted fund balance already committed or assigned by the government for a specific purpose).

Furthermore, governments may deem it appropriate to exclude from consideration resources that have been committed or assigned to some other purpose and focus on unassigned fund balance rather than on unrestricted fund balance.

Naturally, any policy addressing desirable levels of unrestricted fund balance in the general fund should be in conformity with all applicable legal and regulatory constraints. In this case in particular, it is essential that differences between GAAP fund balance and budgetary fund balance be fully appreciated by all interested parties.

Approved by the GFOA's Executive Board, October, 2009.

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<sup>4</sup> See Recommended Practice 4.1 of the National Advisory Council on State and Local Budgeting governments on the need to "maintain a prudent level of financial resources to protect against reducing service levels or raising taxes and fees because of temporary revenue shortfalls or unpredicted one-time expenditures" (Recommended Practice 4.1).

<sup>5</sup> In practice, a level of unrestricted fund balance significantly lower than the recommended minimum may be appropriate for states and America's largest governments (e.g., cities, counties, and school districts) because they often are in a better position to predict contingencies (for the same reason that an insurance company can more readily predict the number of accidents for a pool of 500,000 drivers than for a pool of fifty), and because their revenues and expenditures often are more diversified and thus potentially less subject to volatility.

<sup>6</sup> In either case, unusual items that would distort trends (e.g., one-time revenues and expenditures) should be excluded, whereas recurring transfers should be included. Once the decision has been made to compare unrestricted fund balance to either revenues or expenditures, that decision should be followed consistently from period to period.

<sup>7</sup> However, except as discussed in footnote 4, not to a level below the recommended minimum.



**SYRACUSE CITY**  
**Syracuse City Council Regular Meeting Agenda**  
**April 8, 2014 – 7:00 p.m.**  
City Council Chambers  
Municipal Building, 1979 W. 1900 S.

1. Meeting called to order  
Invocation or thought\*\*  
Pledge of Allegiance  
Adopt agenda
2. Presentation of the Syracuse City and Wendy's "Award for Excellence" to Case Sorensen and Lisa Stoneham.
3. Recognition of Volunteers in Police Services (VIPS) Program members.
4. Approval of Minutes:
  - a. Work Session Meeting of March 11, 2014
  - b. Regular Meeting of March 11, 2014
  - c. Work Session Meeting of March 25, 2014
5. Public Comment: This is an opportunity to address the Council regarding your concerns or ideas. Please limit your comments to three minutes.
6. Authorize Administration to write-off outstanding utility billing amounts for accounts associated with bankruptcy.
7. Proposed Ordinance 14-07 amending the zoning map of Title 10 by changing from Agriculture (A-1) Zone to Residential (R-3) Zone the parcel of property located at approximately 1900 S. 1000 W.
8. Public Hearing – Proposed Ordinance 14-08 amending Title Seven of the Syracuse City Code pertaining to fireworks and the adoption of the International Fire Code.
9. Proposed Ordinance 14-01 amending various sections of Title Ten of the Syracuse City Code pertaining to land use relative to two-family attached dwellings, basement apartments, and accessory dwelling units.
10. Proposed Ordinance 14-09 amending various sections of Title Ten of the Syracuse City Code pertaining to land use relative to the C-2 Zoning designation.
11. Proposed Ordinance 14-10 amending various sections of Title Ten of the Syracuse City Code pertaining to land use relative to the C-G Zoning designation.
12. Councilmember Reports
13. Mayor Report
14. City Manager Report
15. Adjourn

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In compliance with the Americans Disabilities Act, persons needing auxiliary communicative aids and services for this meeting should contact the City Offices at 801-825-1477 at least 48 hours in advance of the meeting.

CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted within the Syracuse City limits on this 3rd day of April, 2014 at Syracuse City Hall on the City Hall Notice Board and at <http://www.syracuseut.com/>. A copy was also provided to the Standard-Examiner on April 3, 2014.

CASSIE Z. BROWN, CMC
SYRACUSE CITY RECORDER



COUNCIL AGENDA

April 8, 2014

Agenda Item #2

Presentation of the Syracuse City and Wendy's "Award for Excellence" to Case Sorensen and Lisa Stoneham.

Factual Summation

- Any questions regarding this item can be directed at CED staff. Please see the attached memos regarding the Award recipients for April 2014.

Recommendation

The Community & Economic Development Department hereby recommends that the Mayor and City Council present the "Syracuse City & Wendy's Award for Excellence to Case Sorensen and Lisa Stoneham.



Mayor
Terry Palmer

City Council
Brian Duncan
Craig Johnson
Karianne Lisonbee
Douglas Peterson
Larry D. Shingleton

Interim City Manager
Steve Marshall

MEMORANDUM

To: Mayor and City Council

From: Community & Economic Development Department

Date: April 8, 2014

Subject: Presentation of the Syracuse City & Wendy's Award for Excellence to Case Sorensen and Lisa Stoneham

Background

The City wishes to recognize citizens who strive for excellence in athletics, academics, arts and/or community service. To that end, in an effort to recognize students and individuals residing in the City, the Community and Economic Development, in conjunction with Jeff Gibson, present the recipients for the "Syracuse City & Wendy's Award for Excellence."

"Syracuse City & Wendy's Award for Excellence"

This monthly award recognizes the outstanding performance of a male and female who excel in athletics, academics, arts and/or community service. The following are the individuals selected for the award and the reasoning for their selection:

Case Sorensen

Case is an outstanding student and all around good citizen. His grades are excellent. He is one of the leaders of our stage crew that takes care of sound and lighting for the school assemblies and productions. Case is always positive, happy and helpful to teachers, staff and students. He is a great example of what a good student should be. He is a 9th grader at Syracuse Jr. High School.

Case Sorensen was nominated by Syracuse Jr. High School Staff

Lisa Stoneham

Lisa is a top notch student with excellence grades in a full schedule of advanced classes. She also got a perfect score on the EXPLORE test which is a nationally normed test often considered a pre ACT test. She strives for excellence in her academic development and is a fine example of what a student can become. We know she will become an excellent member of society. She is a 9th grader at Syracuse Jr. High School.

Lisa Stoneham was nominated by Syracuse Jr. High School Staff

Both students will:

- Receive a certificate and be recognized at a City Council meeting
- Have their picture put up in City Hall and the Community Center
- Have a write up in the City Newsletter, Facebook, Twitter, and website
- Be featured on the Wendy's product TV
- Receive \$10 gift certificate to Wendy's

Recommendation

The Community & Economic Development Department hereby recommends that the Mayor and City Council present the "Syracuse City & Wendy's Award for Excellence" to Case Sorensen and Lisa Stoneham.



COUNCIL AGENDA

April 8, 2014

Agenda Item #3 Recognition of Volunteers in Police Services (VIPS)
Program members.

Factual Summation

- Any question regarding this agenda item may be directed at Police Chief Garret Atkin.
- In the spring of 2013, Syracuse Police Department partnered with the Syracuse Lion's Club to build the foundation of a Volunteers in Police Service (VIPS) program. Eight members of the Lion's Club have donated their time to the Department. The bulk of their efforts have centered around administering fingerprinting services for the public. Prior to the partnership, officers had to be called in from the field to perform this duty; volunteers have allowed the Department to continue this valuable community service, while keeping officers out patrolling the community. Volunteers have also helped with data entry and other administrative functions within the Department.
- In just over nine months since the program began, volunteers have donated 156 hours of service to the Department. Based on a national estimate of what volunteer time is worth, the service of our volunteers has been a benefit in excess of \$3,450.00.
- It is with great pride and admiration that I present the members of our Volunteers in Police Services program to the Mayor and Council for recognition.
- Names of volunteers:

Mike Eisenberg
Carol Eisenberg
Lynn John
Sandra John
Steven Anderson
Eric Ellington
Merl Thurgood
Chris O'Shea



COUNCIL AGENDA

April 8, 2014

Agenda Item #4

Approval of Minutes.

Factual Summation

- Please see the draft minutes of the following meetings:
 - a. Work Session Meeting of March 11, 2014.
 - b. Regular Meeting of March 11, 2014.
 - c. Work Session Meeting of March 25, 2014.

- Any question regarding this agenda item may be directed at Cassie Brown, City Recorder.

Minutes of the Syracuse City Council Work Session Meeting, March 11, 2014

Minutes of the Work Session meeting of the Syracuse City Council held on March 11, 2014, at 6:00 p.m., in the Council Work Session Room, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present: Councilmembers: Brian Duncan
Mike Gailey
Craig A. Johnson
Karianne Lisonbee
Douglas Peterson

Mayor Terry Palmer
City Manager Brody Bovero
City Recorder Cassie Z. Brown

City Employees Present:
Finance Director Steve Marshall
Public Works Director Robert Whiteley
City Attorney Clint Drake
Parks and Recreation Director Kresta Robinson
Utilities Manager Holly Craythorn

The purpose of the Work Session was to review the agenda for the business meeting to begin at 7:00 p.m.; review the following agenda items forwarded by the Planning Commission: Item 6: Proposed Ordinance rezoning property located at 3231 S. 1000 W. from R-1 Residential to R-2 Residential; Item 7: Proposed Ordinance rezoning property located at 750 S. 2000 W. from Agriculture, Residential R-1, and Residential R-2 to Residential R-3; Item 8: Final Plat Approval, Monterey Estates Subdivision Phases 1 through 5, located at approximately 1500 West 700 South; Item 9: Proposed Ordinance amending the Syracuse City General Plan adopted in 1976, as amended, for Wright Development Group; Item 10: Proposed Ordinance amending Title X relative to duplexes, basement apartments and accessory dwelling units; Item 11: Proposed Ordinance amending the Syracuse City General Plan adopted in 1976, as amended, relative to the C-2 zone; and Review agenda item 13: Smedley Acres water line project agreement; and discuss Council business.

[6:00:35 PM](#)

Agenda review

Mayor Palmer briefly reviewed the agenda for the business meeting to begin at 7:00 p.m.

[6:02:33 PM](#)

Review Item 6: Proposed Ordinance rezoning

1 **property located at 3231 S. 1000 W. from R-1**

2 **Residential to R-2 Residential.**

3 A memo from the Community Development Department explained this property consists of 3.5 acres and is
4 currently zoned R-1 Residential. The applicant has requested to rezone the property to R-2 Residential as designated on the
5 City's General Plan. The applicant has indicated his intent is to develop a cul-de-sac of single family residential lots. City
6 staff has reviewed the application and finds that it is consistent with the City's General plan and that it is harmonious with the
7 overall character of the surrounding development with no adverse effects, and it has adequate facilities to serve the property.
8 The Planning Commission held a public hearing on February 18, 2014 for rezone request on the above noted property. The
9 property is 3.5 acres in size and is currently zoned R-1 Residential with a General Plan designation of R-2. The proposed
10 zone change is in accord with the General Plan as amended. The Syracuse City Planning Commission hereby recommends
11 that the City Council approve the rezone request, located at approx. 3231 S 1000 W, change from R-1 Residential to R-2
12 Residential.

13 [6:02:41 PM](#)

14 Ms. Christensen reviewed the staff memo. There Council communicated that they are comfortable proceeding with
15 approval of the application during the business meeting.

16
17 [6:04:13 PM](#)

18 **Review Item 7: Proposed Ordinance rezoning**

19 **property located at 750 S. 2000 W. from Agriculture,**

20 **Residential R-1, and Residential R-2 to Residential**

21 **R-3.**

22 A memo from the Community Development Department explained this property consists of 11.63 acres and is
23 currently zoned Agriculture, R-1 & R-2 Residential. The applicant has requested to rezone the property to R-3 Residential as
24 designated on the City's General Plan. The applicant has indicated his intent is to develop a cul-de-sac of single family
25 residential lots. City staff has reviewed the application and finds that it is consistent with the City's General plan and that it is

1 harmonious with the overall character of the surrounding development with no adverse effects, and it has adequate facilities
2 to serve the property. The Planning Commission held a public hearing on March 4, 2014 for rezone request on the above
3 noted property. The property is 11.63 acres in size and is currently zoned Agriculture, R-1 & R-2 Residential with a General
4 Plan designation of R-3. The proposed zone change is in accord with the General Plan as amended. The Syracuse City
5 Planning Commission hereby recommends that the City Council approve the rezone request, located at approx. 750 S 2000
6 W, change from R-1 Residential to R-3 Residential.

7 [6:04:24 PM](#)

8 Ms. Christensen reviewed the staff memo. She also reviewed the tentative sketch plan for the development, which
9 will be considered by the Planning Commission at their next meeting if the Council votes to approve the rezone request. She
10 noted the Planning Commission has approved an exception to the City Code relative to the length of a dead-end road, or cul-
11 de-sac, in the subdivision. Councilmember Johnson stated there is an alternative to approving the exception and he
12 highlighted the manner in which the subdivision could be altered to meet the requirements of the City Code. Councilmember
13 Duncan acknowledged that the alternative would eliminate a few building lots in the subdivision. Councilmember Johnson
14 stated that is correct, but reiterated the alternative would meet the requirements of the ordinance. Councilmembers Duncan
15 and Lisonbee stated they would support the alternative street layout suggested by Councilmember Johnson.

16 Councilmember Peterson inquired as to the reasoning behind the Planning Commission's recommendation for an
17 exception to the Code. Ms. Christensen stated the Planning Commission felt there is a geographical constraint placed on the
18 subdivision by the existing development across the street; they did not want to approve an application that would require
19 residential driveways to front 700 South. Councilmember Peterson concurred with that recommendation, but asked if the
20 Planning Commission had considered Councilmember Johnson's suggested alternative. Ms. Christensen answered no.
21 Mayor Palmer stated he would like the Planning Commission to consider the alternative recommended by Councilmember
22 Johnson.

23 Councilmember Gailey inquired as to the opinion of the Fire Chief relative to the length of the dead-end street in the
24 development. Fire Chief Froerer stated that the alternative recommended by Councilmember Johnson would provide better
25 fire access and protection to the homes on the subdivision; however, as it is currently designed it is also protectable.

26 City Attorney Drake noted that if the City Council reaches a consensus to direct the Planning Commission to
27 consider the alternative design as recommended by Councilmember Johnson, the motion to approve the rezone request during

1 the business meeting should include a finding referencing that direction. Ms. Christensen stated that finding may be more
2 appropriate at the time that the final plat for the subdivision is approved.

3 Councilmember Peterson stated he is comfortable proceeding with either recommendation. Councilmember
4 Johnson suggested amending the City's land use ordinance to require sketch plans to receive Council approval before
5 applying to the Planning Commission for preliminary plan approval. Mayor Palmer stated he has had conversations with
6 City Manager Bovero about amending the land use title of the City Code to amend the subdivision approval process. Mr.
7 Bovero stated he and Ms. Christensen will address that recommendation.

8

9 [6:14:29 PM](#)

10 **Review Item 8: Final Plat Approval, Monterey**
11 **Estates Subdivision Phases 1 through 5, located at**
12 **approximately 1500 West 700 South.**

13 A memo from the Community Development Department explained the Planning Commission held a public meeting
14 on March 4, 2014 for Final Plan approval of Monterey Estates Subdivision, Phase 1 to 5. All items noted in staff report have
15 been addressed by the Planning Commission. All requirements of sketch, preliminary and final have been met. The Syracuse
16 City Planning Commission hereby recommends that the City Council approve the final plat for the Monterey Estates
17 Subdivision, Phase 1 to 5, located at approximately 1500 W. 700 S., subject to meeting all requirements of the City's
18 Municipal Codes and City staff reviews.

19 [6:14:35 PM](#)

20 Ms. Christensen reviewed her staff memo and the plat map for the proposed subdivision. There was a brief
21 discussion regarding the street layout within the proposed subdivision. She added she has received an email from a resident
22 regarding their concerns about the impact the subdivision may have on water pressure in the area and she noted that the
23 developer will be required to transfer the appropriate number of water shares to the City before receiving final plat approval.
24 She noted Public Works Director Whiteley can provide the Council with additional information regarding water pressure
25 issues. Mr. Whiteley explained water pressure is directly related to elevation and he provided the Council with information,
26 including financial implications, of making adjustments to the City's secondary water system by raising the level of the

1 City's water tank. He added that landscapers have the ability to design a sprinkling system that is suited to the water pressure
2 levels within the City. He noted the water pressure for existing homes in the area is approximately 40 PSI; the low water
3 pressures experienced last year were directly related to the fluctuation in the tank levels throughout the watering season.

4
5 [6:22:29 PM](#)

6 **Review Item 9: Proposed Ordinance amending the**
7 **Syracuse City General Plan adopted in 1976, as amended,**
8 **for Wright Development Group.**

9 A memo from the Community Development Department explained the Planning Commission held a public hearing
10 on March 4, 2014 on the proposed General Plan Amendment for Gary Wright, Wright Development requested change from
11 General Commercial to R-3 Residential. Mr. Wright has indicated his intent to develop single family housing that is
12 consistent with the residential zoning and character of the surrounding developments to the west and the south. The Syracuse
13 City Planning Commission hereby recommends that the City Council approve the adoption of Ordinance 14-04, Amending
14 the Syracuse City General Plan.

15 [6:22:29 PM](#)

16 Ms. Christensen reviewed her staff memo. Mayor Palmer noted the City Council received a letter from Planning
17 Commissioner TJ Jensen, who voted in opposition of approving this application, expressing his concerns about the proposed
18 development. Councilmember Johnson stated he shares some of the same concerns and wondered if more analysis of the
19 proposal is needed given that the project could impact the area surrounding the subject property. There was a brief
20 discussion regarding a potential general plan change for the adjoining parcels of property to match the general plan land use
21 designation of the subject property with a focus on the parcel of property located immediately to the south. Mayor Palmer
22 stated he did not think it would be harmful to the applicant to delay consideration of the application for an additional two
23 weeks in order to contact the property owner to the south, but noted discussion of this agenda item can continue during the
24 business meeting.

25
26 [6:28:31 PM](#)

1 **Review Item 10: Proposed Ordinance amending Title**

2 **X relative to duplexes, basement apartments and**

3 **accessory dwelling units.**

4 A memo from the Community Development Department explained the Planning Commission has been reviewing
5 Title X for the past few months regarding Duplexes, Basement Apartments and Accessory Apartments. The proposed
6 amendments provide limits and regulations for duplexes that have previously been allowed in all residential zones. These
7 amendments will demonstrate compliance with State of Utah requirements to address moderate income housing in our City.
8 The proposed ordinance reflects the recommended changes from the Planning Commission. The Planning Commission held a
9 public hearing on the proposed amendments on January 21, 2014. At a public meeting that same night the Planning
10 Commission recommended to the City Council the adoption of the proposed amendments. The memo provided the following
11 summary of the amendments included in the Proposed Ordinance:

- 12 • Section 10-02-040 Adds definition of an accessory dwelling unit, clarifies definition of multi-family dwelling
13 and dwelling.
- 14 • Section 10-11-030 Adds accessory dwelling as a conditional use in the A-1 zone
- 15 • Section 10-12-030 Deletes Two-family dwellings (duplexes) and replaces with accessory dwelling as a
16 conditional use in the R-1 zone.
- 17 • Section 10-13-030 Deletes Two-family dwellings (duplexes) and replaces with accessory dwelling as a
18 conditional use in the R-2 zone.
- 19 • Section 10-14-030 Add accessory dwelling as a conditional use in the R-3 zone and changes Two-Family
20 Dwellings to a minor conditional use in the R-3 zone.
- 21 • Section 10-6-020(D) Provides regulations for two-family dwellings in the R-3 zone with the following
22 requirements:
 - 23 • Increases the lot size requirement for duplex lot from 8,000 sq. ft. to 11,000 sq. ft. and lot
24 width/frontage from 80 feet to 100 feet.
 - 25 • Restricts rental of dwelling to long term rental, not nightly or weekly rentals.

- 1 • Provides design guidelines that restrict the look and feel of the structure, so that that the structure
- 2 appears similar to a single family dwelling and has a lesser visual impact on the neighborhood.
- 3 • Section 10-06-020(E) Provides regulations for accessory dwellings (currently permitted as two-family dwellings) in
- 4 residential zones with the following requirements:
- 5 ▪ Requires one unit to be owner occupied.
- 6 ▪ Limits 1 accessory unit per lot
- 7 ▪ Provides for increased setback requirement for new accessory unit construction, which is detached from the
- 8 main dwelling.
- 9 ▪ Provides for required increased lot size by 3,000 sq. ft. for accessory units in detached structures and
- 10 prohibits them in Cluster Subdivisions.
- 11 ▪ Restricts nightly rentals.
- 12 ▪ Restricts home occupations in accessory unit
- 13 ▪ Requires increased setback if windows are placed on walls adjacent to abutting properties.
- 14 ▪ Provides size restrictions for minor CUP:
- 15 • Basement or attic 50% gross sq. ft.
- 16 • Attached 650 sq. ft.
- 17 • Detached 650 sq. ft.
- 18 • Provides major Cup process for units greater than 650 sq. ft. up to 50% of gross floor area of main
- 19 dwelling.
- 20 • Requires parking based upon the number of bedrooms in the accessory unit.
- 21 • Requires entrance to accessory unit from the side or 20' to the rear of main dwelling entrance.
- 22 • Requires detached structure to be compatible architecture and materials of main dwelling.

23 The Syracuse City Planning Commission hereby recommends that the City Council approve the adoption of
24 Ordinance 14-01, Amending Title X.

25 [6:28:45 PM](#)

26 Ms. Christensen reviewed her staff memo.

27 [6:31:30 PM](#)

1 Discussion regarding the proposed ordinance ensued and Mayor Palmer stated he feels any new construction should
2 be classified as a major conditional use. Councilmember Johnson agreed and stated the conversion of an existing area of a
3 home or accessory building to a living space could be classified as a minor conditional use. He stated the construction of a
4 detached accessory building for use as an accessory dwelling unit should be classified as a major conditional use. Ms.
5 Christensen stated she feels the conversion of an accessory building to a living unit should also be a major conditional use.

6 Councilmember Lisonbee asked how to address the instance where a residential R-2 zone may be bordering a
7 residential R-3 zone and someone is seeking to build duplexes on that border, which would ultimately impact the R-2
8 neighborhood. Ms. Christensen stated larger lot sizes are required for duplexes to lessen their impact. She added there are
9 architectural standards in place to ensure that a duplex will look more like a single family home.

10 Councilmember Duncan stated he feels duplexes should not be allowed in the residential zones of the City and
11 should only be allowed in planned residential developments (PRD) in the City. He stated he feels that allowing a duplex in a
12 single family development is the same thing as allowing a PRD development within neighborhoods. Ms. Christensen stated
13 duplexes are currently permitted within residential zones of the City and the intent of the proposed ordinance is to tighten
14 restrictions. Councilmember Duncan reiterated his recommendation is to prohibit duplexes in any residential zone of the
15 City. Ms. Christensen stated allowing duplexes is a way of meeting moderate income housing standards. Councilmember
16 Duncan stated there are other ways to meet those standards besides allowing duplexes in single family home neighborhoods.
17 Councilmember Lisonbee agreed. There was a brief discussion comparing the proposed ordinance to the current reading of
18 the City Code, with Councilmember Peterson stating he would prefer a development that included a large number of
19 duplexes rather than single duplexes scattered throughout single family residential neighborhoods. Councilmember Duncan
20 stated the PRD zone addresses that idea. Mayor Palmer noted the Council can continue to discuss this agenda item during the
21 business meeting.

22
23 [6:38:41 PM](#)

24 **Review Item 11: Proposed Ordinance amending the**
25 **Syracuse City General Plan adopted in 1976, as**
26 **amended, relative to the C-2 zone.**

1 A memo from the Community Development Department explained last July the Planning Commission and City
2 Council met for a joint work session to discuss recommended General Plan amendments regarding the C-2 zone. At the
3 conclusion of that meeting staff was directed to bring forward General Plan amendments related to the Ninigret property to
4 be changed to the R-3 zone and a text amendment to the C-2 zone, limiting the maximum density in that zone. Along with
5 those changes the Planning Commission would begin work to do a comprehensive General Plan update. The recommended
6 changes from the Planning Commission for the C-2 zone were not placed back on a Council agenda. Mayor Palmer has
7 requested these items to be placed back on the agenda for final action by the Council. The memo provided the following
8 summary of amendments:

- 9 • District 1-recommended change of the Ninigret and PRI property from C-2 zoning to General Commercial and
10 Industrial.
- 11 • District 1-recommended change of the IHC/Lindquist Mortuary properties from C-2 zoning to Professional
12 Office.
- 13 • District 2-Town Center area from 2000 West to 2500 West (North side of 1700 South) from C-2 zoning to
14 General Commercial.
- 15 • District 9-recommended change of the property located at Bluff and Gentile from C-2 zoning to General
16 Commercial.

17 The Syracuse City Planning Commission hereby recommends that the City Council approve the adoption of
18 Ordinance 14-03, Amending the Syracuse City General Plan.

19 [6:38:52 PM](#)

20 Ms. Christensen reviewed her staff memo. She noted Mayor Palmer directed her to make a few changes to the
21 proposal after the Council discussed the issue during their last work session meeting; he directed her to change the zoning of
22 a portion of the property from business park to general commercial. Councilmember Johnson stated he is inclined to hold to
23 the decision that was made during the last City Council meeting relative to business park zoning for a portion of the property.
24 He noted a commercial land use designation may not be as viable for the property. Councilmember Duncan agreed and
25 stated that all studies conducted to date regarding the property have called for a business park designation as the most viable
26 use. Councilmember Gailey stated business park uses are also permitted in the general commercial zone of the City.
27 Councilmember Johnson stated that is not correct. Mayor Palmer provided his explanation for changing the zoning of the

1 property from business park to general commercial; he noted businesses are interested in developing the parcel of property on
2 the corner of 2000 West and State Road 193 for a general commercial use. He added he feels a general commercial
3 development on that corner would look much cleaner than a business park. He referenced the retail sales tax benefits the City
4 would receive from such a development. Councilmember Johnson noted the purpose of a General Plan is to express to
5 developers and property owners the vision for the City. He stated the vision he has for the property when it is developed as a
6 business park is for two story buildings that could house business headquarters and other types of uses that offer high paying
7 jobs. He stated that is the type of development he would prefer for the property; if a developer has a better idea it is their
8 responsibility to sell it to the City and provide factual information proving that it is supported by the General Plan before
9 requesting a change in land use designation. Councilmember Lisonbee stated that she agrees with the concerns that have
10 been expressed. She then noted that she thought the Planning Commission's recommendation differed from the current
11 recommendation and she asked staff to identify the differences between the two recommendations. Councilmember Johnson
12 stated that the Planning Commission's recommendation was to assign the business park land use designation to the entire
13 property in the General Plan. He then asked if the power corridor should be removed from consideration for zoning
14 purposes. Ms. Christensen stated that portion of property is currently zoned industrial. She stated that if the zoning of the
15 power corridor is changed to an agricultural land use, the developer of the adjoining property would be required to provide a
16 lesser buffer between the two land uses. Mayor Palmer stated discussion regarding this item can continue during the business
17 meeting.

18
19 [6:50:23 PM](#)

20 **Review agenda item 13: Smedley Acres water line**

21 **project agreement.**

22 A memo from the Public Works Director included the bid tabulation for the bids opened March 4, 2014 for the
23 Smedley Acres Waterline Project. This project will replace the old undersized culinary water main in 2400 South, 1950 West,
24 2350 South, 1800 West and 2175 South. Full width asphalt replacement will be performed on these streets. This project will
25 abandon old asbestos cement culinary mains. Ferguson Waterworks was the low bidder on Schedule B, but withdrew their
26 bid. Mountain States Supply was second lowest but their bid was rejected by the City as being incomplete. The lowest
27 responsible bidder for Schedule B is HD Supply Waterworks. The recommended low bidders and bid amount are as follows:

- 1 • SCHEDULE A
- 2 ○ Low Bidder: Leon Poulsen Construction Company, Inc. – Bid Amount: \$399,987.34
- 3 • SCHEDULE B
- 4 ○ Low Bidder: HD Supply Waterworks – Bid Amount: \$80,812.65
- 5 • Total Project Amount: \$480,799.99
- 6 • Engineer’s Probable Cost Opinion For Total Project: \$600,000.00

7 City staff has reviewed the submitted bid from all bidders and recommend awarding schedule A to Leon Poulsen
8 Construction Company, Inc. and schedule B to HD Supply Waterworks. The memo further explained this culinary waterline
9 project is one that was identified on our list presented to city council as a high priority due to the age, pipe material and
10 restrictions the existing 6” lines place on the system. This project will involve the replacement of an existing 6” culinary
11 main with an 8” main along with full width asphalt repaving at the following locations:

- 12 • 2400 South from 2000 West to 1950 West
- 13 • 1950 West from 2428 South to 2250 South
- 14 • 1800 West from 2350 South to 2194 South
- 15 • 2350 South
- 16 • 2175 South from 2000 West to 2043 West

17 In an effort to reduce costs, this project was bid out with a Schedule A which includes furnishing some materials and
18 installation and a Schedule B which includes furnishing materials. Public Works is pleased with the bid results and
19 recommends approval of this project. The construction will begin as soon as contract documents are in place and will be
20 completed by summer of 2014. The bid amount for the total project is \$480,799.99.

21 Staff recommends that bid Schedule A be awarded to Leon Poulsen Construction, Inc. and that bid Schedule B bid
22 be awarded to HD Supply Waterworks.

23 [6:50:35 PM](#)

24 Mr. Whiteley reviewed his staff memo.

25 Councilmember Duncan stated that it looks somewhat bad that only one bid survived the review process performed
26 by staff. Mr. Whiteley stated it would look much worse to rebid the project because all bidders know the prices that were
27 offered by the successful bidder.

1

2 **Council business**

3

There was no Council business

4

5

6

The meeting adjourned at 6:55 p.m.

7

8

9

10

11 _____
Terry Palmer

12 Mayor

13

14 Date approved: _____

Cassie Z. Brown, CMC

City Recorder

Minutes of the Syracuse City Council Regular Meeting, March 11, 2014.

Minutes of the Special meeting of the Syracuse City Council held on March 11, 2014, at 7:05 p.m., in the Council Chambers, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present: Councilmembers: Brian Duncan
Mike Gailey
Craig A. Johnson
Karianne Lisonbee
Douglas Peterson

Mayor Terry Palmer
City Manager Brody Bovero
City Recorder Cassie Z. Brown

City Employees Present:
Finance Director Steve Marshall
Public Works Director Robert Whiteley
City Attorney Clint Drake
Fire Chief Eric Froerer
Police Chief Garret Atkin
Parks and Recreation Director Kresta Robinson
Community Development Director Sherrie Christensen
Utilities Manager Holly Craythorn
City Planner Jenny Schow
City Planner Noah Steele

1. Meeting Called to Order/Adopt Agenda

Mayor Palmer called the meeting to order at 7:05 p.m. as a regularly scheduled meeting, with notice of time, place, and agenda provided 24 hours in advance to the newspaper and each Councilmember. He asked all visitors present if any wished to provide an invocation or thought; Councilmember Johnson offered an invocation. Members of Boy Scout Troop 651 then led all present in the Pledge of Allegiance.

7:07:42 PM

COUNCILMEMBER DUNCAN MADE A MOTION TO ADOPT THE AGENDA. COUNCILMEMBER LISONBEE SECONDED THE MOTION; ALL VOTED IN FAVOR.

7:08:12 PM

2. Presentation of the Syracuse City and Wendy's "Award for Excellence" to Savanna Byington and Joey Faulkner.

1 The City wishes to recognize citizens who strive for excellence in athletics, academics, arts and/or community
2 service. To that end, in an effort to recognize students and individuals residing in the City, the Community and Economic
3 Development, in conjunction with Jeff Gibson, present the recipients for the “Syracuse City & Wendy’s Award for
4 Excellence”. This monthly award recognizes the outstanding performance of a male and female who excel in athletics,
5 academics, arts, and/or community service. The monthly award recipients will each receive a certificate and be recognized at
6 a City Council meeting; have their photograph placed at City Hall and the Community Center; be written about in the City
7 Newsletter, City’s Facebook and Twitter Feed, and City’s website; be featured on the Wendy’s product television; and
8 receive a \$10 gift certificate to Wendy’s.

9 Mayor Palmer noted both students receiving the award for March 2014 are from Syracuse High School and he read
10 the award nomination provided by each of their respective teachers.

11 Savanna Byington

12 Savanna Byington is an amazing young lady who has put her time, energy, love and support into building up our
13 schools HOPE squad. This is a new anti-suicide program we have implemented with the help of IHC. Savanna has
14 taken the positive message of HOPE and run with it. Her natural kindness and positive personality are contagious
15 and send an encouraging vibe to those around her. In addition to her outstanding citizenship, she earns good grades.
16 As a friend to everyone and a great student, her example and outreach are widely appreciated at Syracuse High.

17 Savanna is a true Titan!

18 Savanna was nominated by Syracuse High School Staff.

19

20 Joey Faulkner

21 Joey Faulkner is a student who seeks knowledge. He has a strong desire to learn for understanding, not just a letter
22 grade. He works well with his classmates as a contributing member to group labs and projects. He is positive in his
23 approach to others and welcomes all students to participate. He asks questions to complete the concept in his
24 Biotechnology class and opens the door for positive, in-depth discussions. We are proud to call Joey a Titan!

25 Joey was nominated by Syracuse High School Staff.

26

27 [7:13:59 PM](#)

1 3. Approval of Minutes:

2 The minutes of the Work Session and Regular Meetings of February 11, 2014 and the Work Session Meeting of
3 February 25, 2014 were reviewed.

4 [7:14:37 PM](#)

5 COUNCILMEMBER LISONBEE MADE A MOTION TO APPROVE THE MINUTES OF THE WORK
6 SESSION AND BUSINESS MEETINGS OF FEBRUARY 11, 2014 AND THE WORK SESSION METING OF
7 FEBRUARY 25, 2014 AS PRESENTED. COUNCILMEMBER GAILEY SECONDED THE MOTION; ALL VOTED IN
8 FAVOR.

9 Councilmember Lisonbee thanked City Recorder Brown for her hard work on the minutes.

10

11 [7:15:17 PM](#)

12 4. Public Comments

13 [7:15:31 PM](#)

14 TJ Jensen referenced the agenda item dealing with the Commercial C-2 zone and noted that if the plan is to
15 eventually extend State Road 193 further to the west to link with the future West Davis Corridor, the acreage along SR193
16 west of 2000 West may be an appropriate location for business park zoning if the Council opts not to assign that zoning
17 designation to the property east of 2000 West. He then noted that he sent the entire Council an email to discuss West Point
18 City's General Plan; he is impressed with their plan and the depth of the document. The plan includes a trails plan, park
19 inventory, a breakdown of anticipated revenues, and many other components that are currently scattered among different
20 documents in Syracuse City. He noted Syracuse City's General Plan does not need to be a carbon copy of West Point's Plan,
21 but he does like the concept that was employed in that city because it makes the information more transparent and accessible
22 to the residents.

23 [7:17:41 PM](#)

24 Gary Pratt stated a developer attended the last Planning Commission meeting; he was the developer that was
25 responsible for the Lowes and other retail development in Clinton City. He stated he is also the person requesting the zone
26 change on 1000 West from General Commercial to Residential R-3 and his argument for that zone change is that the City

1 already has too much General Commercial zoning and the location of that zoning is not warranted. He then referenced the
2 discussion regarding the zoning of the property near Syracuse High School and stated the business park zoning designation
3 for that property has been discussed for the past two years, prior to the property being purchased by the current owner. Three
4 different studies have been conducted and all had the common conclusion that different types of zoning are warranted in that
5 area. He stated he has always supported the business park zone in that area because such zoning would benefit the high
6 school; a similar zoning and subsequent project were completed in Boise, Idaho while he worked there and it allowed the
7 high school to send students to the business park where they could work as apprentices for businesses in the development. If
8 the time ever came where Weber State University or Utah State University decided to build a satellite campus in the area he
9 high school students could also earn credits to those universities. He stated he feels the conclusion for the City is that the
10 business park zoning is in line and it does not predispose the owner from asking for a change if one is warranted; General
11 Plans are meant to serve as a 'crystal ball' for the City and the current proposal is warranted. If a developer wants to change
12 the land use he can come before the Planning Commission and City Council and ask for a change.

13
14 [7:20:41 PM](#)

15 Gary McEntee stated he is present representing Ninigret this evening. He commented on the proposed General Plan
16 changes that will be discussed this evening and he noted that during the works session the conversation centered on amending
17 the General Plan by assigning the business park designation to the area of land that is already zoned industrial. He stated he
18 does not understand the rationale behind that recommendation because it gives mixed messages to businesses that Ninigret is
19 trying to recruit to the project. His preference is for the zoning to remain industrial and for the General Plan designation to be
20 industrial as well. He then stated it was his understanding that the Council was looking to rescind the C-2 zone because of
21 concerns they had about the impact the zone has on the entire City and he has no problem with that direction as long as it is
22 truly a general change for the entire City, but it is not fair to place the business park zoning designation on the property
23 without input from the owner. He noted the property is currently zoned Agricultural and the owner has the opportunity to
24 request the zone change they deem appropriate. He stated the property should be left as it is at this time and when the owner
25 is ready to proceed with their development they can come back to the City and request the necessary General Plan and zoning
26 changes.

1 [7:22:10 PM](#)

2 5. Public Hearing - Proposed Resolution 14-12 adjusting
3 the Syracuse City budget for the Fiscal Year ending June
4 30, 2014.

5 A memo from Finance Director Marshall explained the City Council reviewed this proposed budget opening and
6 potential changes during the last work session meeting; the supporting documentation for that meeting has been provided to
7 the Council including any amendments that were necessary after the discussion. Each fiscal year staff completes a mid-year
8 review of the City budget around the mid-point of the fiscal year to make recommendations on any needed changes to the
9 current year budget. Along with this review, Mr. Marshall has worked with Public Works Director Whiteley in updating and
10 revising the capital projects list for upcoming projects. Staff has also revised one number in the culinary fund relating to
11 culinary system maintenance; the recommendation is to increase the amount from \$70,000 in the approved budget to
12 \$100,000 and this recommendation is primarily due to new home construction and installation of water meters. We have also
13 replaced several water meters that have stopped working. This number is highlighted in red on the budget opening
14 spreadsheet. The Council packet included two separate spreadsheets regarding capital projects; the first sheet shows the
15 approved projects that are currently in the budget and the second spreadsheet shows the proposed changes to the projects
16 listing. Staff is proposing adding two new projects as well as changing a couple of projects from the previous list. The total
17 cost of the new projects would be approximately \$973,000. The City has realized savings in completed projects of
18 approximately \$720,000 and, therefore, the net increase in this proposal would be \$253,000. These projects are needed with
19 the new developments from Ivory homes on 700 South and the Trailside development along 2000 West south of the
20 roundabout. The memo concluded by providing an overview of some of the requested operational cost changes in this budget
21 opening as follows:

22 **General Fund**

- 23 ○ \$10,000 increase for purchase of new copier, printer, scanner combo.
- 24 ○ \$10,000 increase for telecommunications enhancement (IT Director can answer any questions
25 associated with this item.)
- 26 ○ \$25,000 increase for building maintenance (IT Director can answer any questions associated with this
27 item.)

- 1 o \$10,000 increase for vehicle maintenance for the police department.
- 2 o These increased costs will be offset with increased revenues from sales tax and other general fund
- 3 revenues.

4 **Other Funds**

- 5 o Various changes in Utility accounts associated with proposed capital project revisions.
- 6 o Consolidation of Park Purchase and Park Development Funds.
- 7 o Street Light Participation costs = \$15,000 (money given to City from developers to install new street
- 8 lights.)
- 9 o Increases in the capital projects fund for offices supplies = \$6,100, Professional & Technical = \$7,600,
- 10 and Culinary System maintenance = \$30,000. These are all offset with revenue increases.
- 11 o Adjustment for growth numbers in our city with Utility revenues and expenses.

12 Staff recommends adopting proposed resolution R14-12 adjusting the Syracuse City budget for the fiscal year
13 ending June 30, 2014.

14 [7:22:38 PM](#)

15 Mr. Marshall reviewed his staff memo.

16 [7:25:10 PM](#)

17 Mayor Palmer convened the public hearing; there were no persons appearing to be heard and the public hearing was
18 closed.

19 [7:25:36 PM](#)

20 COUNCILMEMBER DUNCAN MADE A MOTION TO ADOPT RESOLUTION R14-12 ADJUSTING THE
21 SYRACUSE CITY BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2014. COUNCILMEMBER PETERSON
22 SECONDED THE MOTION.

23 [7:25:49 PM](#)

24 Council discussion regarding the motion ensued with a focus on the changes in the budget relative to the proposed
25 improvements of 700 South Street.

1 Councilmember Gailey inquired as to the timing of the 700 South Street project. Public Works Director Whiteley
2 stated the project will be completed in conjunction with the Monterey Estates Subdivision development. Councilmember
3 Duncan noted 700 South is a dangerous road for pedestrian traffic and adding the curb and gutter on the road is essential to
4 increase safety measures.

5 Councilmember Peterson stated he supports the budget opening because many of the new projects being funded are
6 a result of money being saved by staff over the past year. He noted many of the budgeting needs are driven by population
7 growth in the City.

8 [7:29:01 PM](#)

9 Mayor Palmer stated there has been a motion and a second to adopt the proposed resolution and he called for a vote;

10 ALL VOTED IN FAVOR.

11

12 [7:29:13 PM](#)

13 6. Proposed Ordinance 14-05 amending the existing
14 zoning map of Title Ten by changing from Residential
15 R-1 Zone to Residential R-2 Zone the parcel of property
16 located at 3231 S. 1000 W.

17 A memo from the Community Development Department explained this property consists of 3.5 acres and is
18 currently zoned R-1 Residential. The applicant has requested to rezone the property to R-2 Residential as designated on the
19 City's General Plan. The applicant has indicated his intent is to develop a cul-de-sac of single family residential lots. City
20 staff has reviewed the application and finds that it is consistent with the City's General plan and that it is harmonious with the
21 overall character of the surrounding development with no adverse effects, and it has adequate facilities to serve the property.
22 The Planning Commission held a public hearing on February 18, 2014 for rezone request on the above noted property. The
23 property is 3.5 acres in size and is currently zoned R-1 Residential with a General Plan designation of R-2. The proposed
24 zone change is in accord with the General Plan as amended. The Syracuse City Planning Commission hereby recommends
25 that the City Council approve the rezone request, located at approximately 3231 S. 1000 W., change from R-1 Residential to
26 R-2 Residential.

1 [7:29:37 PM](#)

2 Ms. Christensen reviewed the staff memo.

3 [7:30:40 PM](#)

4 COUNCILMEMBER JOHNSON MADE A MOTION TO ADOPT ORDINANCE 14-05 AMENDING THE
5 EXISTING ZONING MAP OF TITLE TEN BY CHANGING FROM RESIDENTIAL R-1 ZONE TO RESIDENTIAL R-2
6 ONE THE PARCEL OF PROPERTY LOCATED AT 3231 S. 1000 W.. COUNCILMEMBER GAILEY SECONDED THE
7 MOTION; ALL VOTED IN FAVOR.

8
9 [7:31:21 PM](#)

10 7. Proposed Ordinance 14-06 amending the existing
11 zoning map of Title Ten by changing from Agriculture,
12 Residential R-1, and Residential R-2 Zones to Residential
13 R-3 Zone the parcel of property located at 750 S. 2000 W.

14 A memo from the Community Development Department explained this property consists of 11.63 acres and is
15 currently zoned Agriculture, R-1 and R-2 Residential. The applicant has requested to rezone the property to R-3 Residential
16 as designated on the City's General Plan. The applicant has indicated his intent is to develop a cul-de-sac of single family
17 residential lots. City staff has reviewed the application and finds that it is consistent with the City's General plan and that it is
18 harmonious with the overall character of the surrounding development with no adverse effects, and it has adequate facilities
19 to serve the property. The Planning Commission held a public hearing on March 4, 2014 for rezone request on the above
20 noted property. The property is 11.63 acres in size and is currently zoned Agriculture, R-1 and R-2 Residential with a
21 General Plan designation of R-3. The proposed zone change is in accord with the General Plan as amended. The Syracuse
22 City Planning Commission hereby recommends that the City Council approve the rezone request, located at approx. 750 S
23 2000 W, change from R-1 Residential to R-3 Residential.

24 [7:31:35 PM](#)

25 Ms. Christensen reviewed the staff memo.

26 [7:32:21 PM](#)

1 COUNCILMEMBER GAILEY MADE A MOTION TO ADOPT PROPOSED ORDINANCE 14-06 AMENDING
2 THE EXISTING ZONING MAP OF TITLE TEN BY CHANGING FROM AGRICULTURE, RESIDENTIAL R-1, AND
3 RESIDENTIAL R-2 ZONES TO RESIDENTIAL R-3 ZONE THE PARCEL OF PROPERTY LOCATED AT 750 S. 2000
4 W. COUNCILMEMBER PETERSON SECONDED THE MOTION.

5 [7:32:41 PM](#)

6 Councilmember Gailey stated this parcel of property represents some heritage in his family; it was homesteaded by
7 his great-grandfather. He provided a brief history of the property and stated his family is very pleased that the development
8 will be named for his family.

9 Councilmember Peterson asked if the City has had contact with neighboring property owners regarding this
10 proposed rezone. Ms. Christensen stated the City provided notice of the proposed rezone as required by law and she had not
11 been contacted by any person or property owner regarding the application.

12 [7:34:45 PM](#)

13 Mayor Palmer stated there has been a motion and a second to adopt the proposed ordinance and he called for a vote;
14 ALL VOTED IN FAVOR.

15

16 [7:35:05 PM](#)

17 8. Final Plat Approval, Monterey Estates Subdivision Phases

18 1 through 5, located at approximately 1500 W. 700 S.

19 A memo from the Community Development Department explained the Planning Commission held a public meeting
20 on March 4, 2014 for Final Plan approval of Monterey Estates Subdivision, Phase 1 to 5. All items noted in staff report have
21 been addressed by the Planning Commission. All requirements of sketch, preliminary and final have been met. The Syracuse
22 City Planning Commission hereby recommends that the City Council approve the final plat for the Monterey Estates
23 Subdivision, Phase 1 to 5, located at approximately 1500 W. 700 S., subject to meeting all requirements of the City's
24 Municipal Codes and City staff reviews.

25 [7:35:13 PM](#)

1 Ms. Christensen reviewed her staff memo.

2 [7:35:46 PM](#)

3 The City Council had a brief discussion regarding water any safety concerns related to the fact that the driveways of
4 some of the residences included in the development will front 700 South. Public Works Director Whiteley stated that while it
5 is best to keep driveways on high-volume traffic roads, the layout of the proposed subdivision is not concerning.

6 Councilmember Johnson then referenced concerns relating to low water pressure in the area of the subdivision and
7 he asked if there are any isolated options for addressing those concerns. Mr. Whiteley stated the lowest cost solution is to
8 ensure the potential purchasers of homes in the development understand their water pressure and install an irrigation system
9 that will accommodate the water pressure. He noted residents are also permitted to install a boost pressure pump on their
10 own system, but any other options only escalate in price. Councilmember Johnson asked if there are secondary water pipes
11 under 700 South that could be improved during that construction project. Mr. Whiteley answered no and stated the
12 secondary water in the area is served by a transmission line directly from the City's tank in the Freeport Center; the volume
13 of water in the area is great, even though pressure may be low. There was a general discussion regarding various options for
14 increasing water pressure in the area, with Mr. Whiteley reiterating that most options for increasing water pressure can be
15 very costly.

16 [7:45:45 PM](#)

17 COUNCILMEMBER PETERSON MADE A MOTION TO GRANT FINAL APPROVAL FOR THE MONTEREY
18 ESTATES SUBDIVISION PHASES ONE THROUGH FIVE, LOCATED AT APPROXIMATELY 1500 W. 700 S.
19 COUNCILMEMBER GAILEY SECONDED THE MOTION.

20 [7:46:03 PM](#)

21 Councilmember Johnson stated the development already includes one stub road, but he suggested adding an
22 additional stub road that could eventually connect to State Road 193 in the future. Ms. Christensen stated the Council should
23 consider future land use and whether it would be appropriate for a residential development to comingle with a business park
24 land use in the future. Councilmember Johnson stated he felt two outlets onto SR193 would help to alleviate traffic
25 congestion in the neighborhood. Ms. Christensen stated the one road that will access SR193 will be a wider, collector road
26 and should be able to accommodate the traffic exiting the subdivision onto SR193.

27

1 Mayor Palmer stated there has been a motion and a second to grant final plat approval and he called for a vote; ALL
2 VOTED IN FAVOR.

3

4 [7:48:26 PM](#)

5 9. Proposed Ordinance 14-04 amending the Syracuse

6 City General Plan adopted in 1976, as amended, for Wright

7 Development Group.

8 A memo from the Community Development Department explained the Planning Commission held a public hearing
9 on March 4, 2014 on the proposed General Plan Amendment for Gary Wright, Wright Development requested change from
10 General Commercial to R-3 Residential. Mr. Wright has indicated his intent to develop single family housing that is
11 consistent with the residential zoning and character of the surrounding developments to the west and the south. The Syracuse
12 City Planning Commission hereby recommends that the City Council approve the adoption of Ordinance 14-04, Amending
13 the Syracuse City General Plan.

14 [7:48:25 PM](#)

15 Ms. Christensen reviewed the staff memo.

16 [7:49:03 PM](#)

17 Councilmember Duncan noted the Council reviewed this item during the work session meeting and there was
18 discussion regarding approaching the property owner to the south of the subject property to determine if it they would like to
19 change their General Plan land use designation to match the designation being requested by Wright Development. Ms.
20 Christensen stated the Planning Commission could initiate that change. There was a general Council discussion regarding the
21 timing of the proposed General Plan change coupled with the potential General Plan change for the property to the south and
22 Councilmember Johnson suggested that Wright Development's application be tabled until contact can be made with
23 neighboring property owners to determine if they would like their property included as part of this action. Spencer Wright, a
24 representative of Wright Development Group, noted that his company has a contract to purchase the property from the Briggs
25 family and there is a fairly short time frame to complete their due diligence, which includes this application. He stated he can
26 appreciate the Council's desire to try to accommodate all properties within one action, but he would like for the Council to

1 move forward on his application this evening. Councilmember Duncan stated this proposed action ultimately impacts the
2 use of the property to the south and he would feel more comfortable if both properties were part of the same General Plan
3 amendment. Mr. Wright disagreed and stated that landowner could still choose to develop his property for a commercial use.
4 He stated he feels it is wise to change the zoning of the property to allow a residential use, but he does not feel it is necessary
5 that both properties be part of the same application. Councilmember Gailey asked if the property owner to the south was
6 notified of this application. Ms. Christensen answered yes and stated the City did not receive any feedback from that
7 property owner; she added that if this agenda item is tabled in order to wait for an application to amend the General Plan for
8 the property to the south that action could not take place for another four weeks due to noticing requirements before the
9 Planning Commission is able to hear the issue. Councilmember Gailey stated he does not want to delay Wright
10 Development. Councilmember Peterson agreed and stated he is comfortable moving forward tonight and directing the
11 Planning Commission to consider a general plan amendment for the property to the south. Councilmember Duncan stated he
12 would prefer to wait for at least two weeks to see if it is possible to reach out to the property owner. Mr. Wright stated that
13 he has reached out to that property owner and has not been able to make contact with her.

14 Councilmember Lisonbee then noted that the developer has followed the defined process to receive approval for
15 their requested change; she agrees this proposal could present a problem for the property owner to the south, but she
16 recognized there have been efforts to contact the property owner. She noted she supports proceeding with the action this
17 evening and she would like for the City to continue to reach out to the other property owner to address the concerns that have
18 been raised this evening. Councilmember Johnson agreed. He noted surrounding zoning designations include residential R-3
19 and residential R-2 and he asked if there was any discussion about changing the General Plan designation for the subject
20 property to R-2. Mr. Wright stated that he did consider that and he may decide to create larger lots in the development, but
21 the R-3 zoning provides him with more flexibility in designing lot sizes. Councilmember Johnson stated concerns have been
22 expressed regarding the flow of traffic from the western portion of the development to 1000 West. Mr. Wright stated he has
23 heard those same concerns and will work to address them in the design of the development.

24 [7:59:44 PM](#)

25 COUNCILMEMBER GAILEY MADE A MOTION TO ADOPT PROPOSED ORDINANCE 14-04 AMENDING
26 THE SYRACUSE CITY GENERAL PLAN ADOPTED IN 1976, AS AMENDED, FOR WRIGHT DEVELOPMENT
27 GROUP. COUNCILMEMBER LISONBEE SECONDED THE MOTION; ALL VOTED IN FAVOR.

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[8:00:14 PM](#)
10. Proposed Ordinance 14-01 amending various sections
of Title Ten of the Syracuse City Code pertaining to land
use relative to duplexes, basement apartments, and accessory
dwelling units.

A memo from the Community Development Department explained the Planning Commission has been reviewing Title X for the past few months regarding Duplexes, Basement Apartments and Accessory Apartments. The proposed amendments provide limits and regulations for duplexes that have previously been allowed in all residential zones. These amendments will demonstrate compliance with State of Utah requirements to address moderate income housing in our City. The proposed ordinance reflects the recommended changes from the Planning Commission. The Planning Commission held a public hearing on the proposed amendments on January 21, 2014. At a public meeting that same night the Planning Commission recommended to the City Council the adoption of the proposed amendments. The memo provided the following summary of the amendments included in the Proposed Ordinance:

- Section 10-02-040 Adds definition of an accessory dwelling unit, clarifies definition of multi-family dwelling and dwelling.
- Section 10-11-030 Adds accessory dwelling as a conditional use in the A-1 zone
- Section 10-12-030 Deletes Two-family dwellings (duplexes) and replaces with accessory dwelling as a conditional use in the R-1 zone.
- Section 10-13-030 Deletes Two-family dwellings (duplexes) and replaces with accessory dwelling as a conditional use in the R-2 zone.
- Section 10-14-030 Add accessory dwelling as a conditional use in the R-3 zone and changes Two-Family Dwellings to a minor conditional use in the R-3 zone.
- Section 10-6-020(D) Provides regulations for two-family dwellings in the R-3 zone with the following requirements:
 - Increases the lot size requirement for duplex lot from 8,000 sq. ft. to 11,000 sq. ft. and lot width/frontage from 80 feet to 100 feet.

- 1 • Restricts rental of dwelling to long term rental, not nightly or weekly rentals.
- 2 • Provides design guidelines that restrict the look and feel of the structure, so that that the structure appears
- 3 similar to a single family dwelling and has a lesser visual impact on the neighborhood.
- 4 • Section 10-06-020(E) Provides regulations for accessory dwellings (currently permitted as two-family dwellings) in
- 5 residential zones with the following requirements:
- 6 • Requires one unit to be owner occupied.
- 7 • Limits 1 accessory unit per lot
- 8 • Provides for increased setback requirement for new accessory unit construction, which is detached from the
- 9 main dwelling.
- 10 • Provides for required increased lot size by 3,000 sq. ft. for accessory units in detached structures and
- 11 prohibits them in Cluster Subdivisions.
- 12 • Restricts nightly rentals.
- 13 • Restricts home occupations in accessory unit
- 14 • Requires increased setback if windows are placed on walls adjacent to abutting properties.
- 15 • Provides size restrictions for minor CUP:
- 16 • Basement or attic 50% gross sq. ft.
- 17 • Attached 650 sq. ft.
- 18 • Detached 650 sq. ft.
- 19 • Provides major Cup process for units greater than 650 sq. ft. up to 50% of gross floor area of main
- 20 dwelling.
- 21 • Requires parking based upon the number of bedrooms in the accessory unit.
- 22 • Requires entrance to accessory unit from the side or 20' to the rear of main dwelling entrance.
- 23 • Requires detached structure to be compatible architecture and materials of main dwelling.

24 The Syracuse City Planning Commission hereby recommends that the City Council approve the adoption of
25 Ordinance 14-01, Amending Title X.

26 [8:00:29 PM](#)

1 Ms. Christensen reviewed the staff memo.

2 [8:01:07 PM](#)

3 Councilmember Duncan stated he feels there is a way to meet the requirements of the Fair Housing Act without
4 locating duplexes in single family neighborhoods. This led to a philosophical discussion regarding the best way to include
5 duplexes in the community with Councilmember Lisonbee stated she would prefer that duplexes be limited to the Planned
6 Residential Development (PRD) zone of the City. She stated she is more supportive of and comfortable with accessory
7 dwelling units or apartments within an existing dwelling if one of the units is owner-occupied. Councilmember Duncan
8 agreed and stated that type of structure blends much better in a single-family home neighborhood. Ms. Christensen suggested
9 that this item be tabled to allow for continued discussion during the next extended work session meeting.

10 Mayor Palmer stated he feels perception is everything and the word ‘duplex’ seems to carry a negative connotation.
11 He suggested that the language be changed and that duplexes be called something else.

12 Councilmember Johnson agreed more discussion is needed and he would like to focus on the minor and major
13 conditional use categories and the land uses that are allowed in each of those categories.

14 Councilmember Duncan stated he would like to discuss accessory dwelling units in more depth to determine if it is
15 appropriate to actually allow a detached unit in someone’s backyard that they could use as a rental unit.

16 [8:09:57 PM](#)

17 COUNCILMEMBER LISONBEE MADE A MOTION TO TABLE PROPOSED ORDINANCE 14-01
18 AMENDING VARIOUS SECTIONS OF TITLE TEN OF THE SYRACUSE CITY CODE PERTAINING TO LAND USE
19 RELATIVE TO DUPLEXES, BASEMENT APARTMENTS, AND ACCESSORY DWELLING UNITS.
20 COUNCILMEMBER DUNCAN SECONDED THE MOTION.

21 [8:10:17 PM](#)

22 Councilmember Peterson agreed that the word ‘duplex’ carries a negative connotation and he would like to visit that
23 issue further. He stated he is supportive of tabling the ordinance.

24 [8:11:09 PM](#)

1 Mayor Palmer stated there has been a motion and a second to table the proposed ordinance and he called for a vote;
2 ALL VOTED IN FAVOR.

3

4 [8:11:15 PM](#)

5 11. Proposed Ordinance 14-03 amending the Syracuse City
6 General Plan adopted in 1976, as amended, relative to the C-2
7 zone.

8 A memo from the Community Development Department explained last July the Planning Commission and City
9 Council met for a joint work session to discuss recommended General Plan amendments regarding the C-2 zone. At the
10 conclusion of that meeting staff was directed to bring forward General Plan amendments related to the Ninigret property to
11 be changed to the R-3 zone and a text amendment to the C-2 zone, limiting the maximum density in that zone. Along with
12 those changes the Planning Commission would begin work to do a comprehensive General Plan update. The recommended
13 changes from the Planning Commission for the C-2 zone were not placed back on a Council agenda. Mayor Palmer has
14 requested these items to be placed back on the agenda for final action by the Council. The memo provided the following
15 summary of amendments:

- 16 • District 1-recommended change of the Ninigret and PRI property from C-2 zoning to General Commercial and
17 Industrial.
- 18 • District 1-recommended change of the IHC/Lindquist Mortuary properties from C-2 zoning to Professional
19 Office.
- 20 • District 2-Town Center area from 2000 West to 2500 West (North side of 1700 South) from C-2 zoning to
21 General Commercial.
- 22 • District 9-recommended change of the property located at Bluff and Gentile from C-2 zoning to General
23 Commercial.

24 The Syracuse City Planning Commission hereby recommends that the City Council approve the adoption of
25 Ordinance 14-03, Amending the Syracuse City General Plan.

26 [8:11:56 PM](#)

27 Ms. Christensen reviewed her staff memo.

1 [8:13:23 PM](#)

2 Mayor Palmer noted the Planning Commission's recommendation called for general commercial zoning along State
3 Road 193 from 2000 West to 1550 West and business park zoning from 1550 West to the power corridor. Ms. Christensen
4 stated the Planning Commission actually recommended business park zoning on the entirety of the Ninigret property from
5 1550 West to 1000 West, but she was directed to change a portion of that property to industrial to reflect the current zoning
6 of the property.

7 [8:14:23 PM](#)

8 COUNCILMEMBER JOHNSON MADE A MOTION TO ADOPT PROPOSED ORDINANCE 14-03
9 AMENDING THE SYRACUSE CITY GENERAL PLAN ADOPTED IN 1976, AS AMENDED, RELATIVE TO THE C-2
10 ZONE, WITH THE FOLLOWING CHANGES:

- 11 • IN DISTRICT ONE, ASSIGN GENERAL COMMERCIAL LAND USE TO THE PROPERTY BETWEEN 2000
12 WEST AND 1500 WEST ALONG STATE ROAD 193; ASSIGN BUSINESS PARK LAND USE THE
13 PROPERTY BETWEEN 1500 WEST AND 1000 WEST. (SUBJECT PARCEL IS BOUNDED BY 2000 WEST,
14 STATE ROAD 193, 1000 WEST, AND THE MIDBLOCK LINE BETWEEN STATE ROAD 193 AND 700
15 SOUTH).

16 COUNCILMEMBER DUNCAN SECONDED THE MOTION.

17 [8:15:18 PM](#)

18 Councilmember Duncan noted that the City has been discussing this property for several years and Ninigret has
19 asked that decisions regarding the General Plan and zoning designations for the property be delayed multiple times in order
20 to allow them time to conduct additional studies. He stated no additional studies have been conducted and the only studies
21 the City has access to call for business park zoning on the property. He stated Ninigret is now asking for general commercial
22 zoning, but the studies call for business park.

23 Councilmember Gailey asked if a portion of the property is already zoned industrial. Ms. Christensen answered yes.
24 Councilmember Gailey stated the recommendation is to change the General Plan designation for that property so that it is not
25 in harmony with the current zoning. Councilmember Johnson stated that the General Plan notes the City's preferred

1 direction, but will not change the actual zoning of the property in any way. There was a discussion regarding the reasoning
2 behind the General Plan land use designation differing from the current zoning and Councilmember Peterson stated that he
3 feels it is not appropriate to extend the business park zone to cover the portion of property that is currently zoned industrial.
4 Councilmember Duncan stated the Council is simply adhering to the recommendations of the studies that have been
5 conducted to date. Councilmember Johnson added that if a future property owner or developer has a better idea in the future
6 they have the option of requesting or recommending a change to the General Plan in the future. Councilmember Peterson
7 stated he would prefer to give deference to the current property owner and they have requested that the General Plan
8 designation for the property be industrial.

9 Councilmember Lisonbee stated she has followed this property for several years, including back to the time that the
10 Davis Technological Economic Cooperative (DTEC) project was being discussed and this conversation has been happening
11 for many years. She stated the residents have had strong feelings about the property and the City, by and large, has agreed
12 with the residents regarding their wants and desires for the property. A new owner has purchased the property and requested
13 to construct an industrial project on the property, but the City has continually said industrial development is not appropriate
14 in the area. The City has clearly communicated to the property owner the desires and wants of the residents and City as a
15 whole. She stated she understand Councilmember Peterson's concerns and agreed that she would generally agree with giving
16 deference to a land owner, but in this case she agrees with Councilmembers Duncan and Johnson that the subject property is
17 a great location for the business park zone and that designation reflects the studies that have been conducted in the City.
18 Councilmember Duncan agreed and stated Ninigret purchased the property with an understanding of the discussions that had
19 been taking place in the City as well as the General Plan direction for the property. Councilmember Peterson agreed the
20 current owner knew what the General Plan said about their property when they purchased it, but he does not agree that this
21 discussion has been going on any longer than when Ninigret purchased it. He stated he is aware of DTEC, but it is not the
22 same as what is currently being discussed; this conversation was initiated because of what Ninigret wants to do with the
23 property and the proposed changes to the General Plan are being recommended in order to intentionally disagree with
24 Ninigret's desires. Councilmember Duncan stated he moved to the City in 2008 and he lives near the subject property and he
25 was approached by one of his neighbors soon after he moved to his neighborhood to discuss the DTEC project; the discussion
26 has been happening for at least six years.

1 Mayor Palmer stated he is not sure how the conversation became focused on DTEC; the discussion has moved from
2 DTEC, flex zoning, and industrial development, but there is no need to discuss industrial zoning or development because
3 Ninigret already has a portion of property zoned industrial and the project to be built on that property is underway. The
4 discussion tonight should be focused on the General Plan designation and zoning for the property west of the power corridor
5 and there have been no active discussions in the last couple of months regarding changing the zoning of that portion of
6 property to industrial. He stated he is comfortable with whatever decision the Council makes this evening, but it is
7 ‘disgusting’ to reference DTEC and flex zoning during this conversation. Councilmember Lisonbee stated she raised the
8 issue of DTEC and she did so because it plays into the historic nature of the property; she stated she will defend those
9 comments because it is appropriate to provide historical information about the property. She added she has had numerous
10 conversations with the property owner and developer to try to find some middle ground and it has been very difficult; she
11 supports property rights, but she also recognizes that property owners give up certain property rights when they purchase
12 property within a certain zone. The General Plan is the community standard and she agrees that placing the business park
13 designation on a portion of the property reflects the long term goals of the City and the residents.

14 [8:32:01 PM](#)

15 Mayor Palmer stated there has been a motion and a second regarding the proposed ordinance and he called for a
16 vote; VOTING “AYE”: COUNCILMEMBERS DUNCAN, JOHNSON, AND LISONBEE. VOTING “NO”:
17 COUNCILMEMBERS GAILEY AND PETERSON.

18
19 [8:32:29 PM](#)

20 12. Authorize Administration to execute Solid Waste Collection

21 Agreement with Robinson Waste Services.

22 A staff memo from Finance Director Marshall explained the City’s solid waste contract with Robinson Waste was
23 scheduled to expire at the end of March 2014. Therefore, administration has put out a request for proposal (RFP) to allow for
24 solid waste haulers to bid on a new five year contract term. The bid was publicly noticed and was open from February 1
25 through February 28. Responders were asked to provide a bid solid waste and green waste hauling. The City currently has
26 6,848 black cans, 3,048 second black cans, and 1,398 green waste cans; in addition, the contract will include waste services

1 for 11 dumpsters at City buildings and parks. Four companies responded to the RFP: Waste Management, Ace Disposal,
2 Republic Services, and Robinson Waste. The Council packet included a summary of the bids including an estimated five
3 year cost for the City. The number of cans was maintained for the purpose of the five year calculation for ease of
4 comparison between years and haulers. The actual cost to the City will be greater than displayed for all four haulers when
5 new growth is taken into account. All haulers have a fuel surcharge clause in their bid with the exception of Ace Disposal.
6 This means that if diesel fuel goes over a certain price per gallon, the City is required to pay a portion of the cost over that
7 amount. Mr. Marshall did not calculate the fuel surcharge in this estimate because he did not have all of the facts to perform
8 the calculation. The only scenario in which the fuel surcharge could have an effect on the low bidder is if diesel fuel prices
9 increased over \$4.75 per gallon and stayed at that level consistently for a five year period of time. The packet included
10 information regarding the price of diesel over the last 7 years and the price has not exceeded \$4.75 with the exception of a
11 few months in 2008. The price per gallon has stayed consistently around \$4.00 per gallon over the past two years. Based on
12 this information, it is highly unlikely that diesel fuel will stay above \$4.75 for the next five years. The low bidder for the
13 contract is Robinson Waste; they are the City's current hauler and their performance history is known. Based on these
14 results, staff recommends the Council award the contract to Robinson Waste for a five year period. Staff is working on
15 assembling a contract and is asking that the City Council authorize administration to execute this contract based on the
16 parameters set forth in the bid documents.

17 [8:32:29 PM](#)

18 Mr. Marshall reviewed his staff memo.

19 [8:34:54 PM](#)

20 Councilmember Duncan asked why the staff is recommending a five year contract rather than a three year contract.
21 City Recorder Brown stated garbage hauling is a fairly comprehensive service and soliciting bids for the service every three
22 years does not generate the best competition; the standard length of this type of contract is five years.

23 Councilmember Johnson stated he is satisfied that the same hauler will be providing the service because there will
24 be no interruption or change in service that will be noticeable to the residents.

25 Councilmember Lisonbee stated she appreciates all Robinson Waste has done for the City, but she inquired as to
26 when the last fuel index was created. Mr. Marshall stated he has the ability to review the fuel index weekly; the contract
27 specifically spells out the criteria for determining when a fuel surcharge will be charged. He noted the fuel surcharge would

1 need to be \$1,300 every month for the entire term of the agreement before Robinson's cost would equal the bid provided by
2 the next lowest bidder.

3 Councilmember Gailey stated some cities provide one-side of the street garbage collection and he asked if the
4 haulers are opposed to offering those kinds of services. Mr. Marshall answered no, but that was not included in the RFP.
5 There was a discussion regarding the impact that the service would have on residents in the City and Councilmember Gailey
6 stated it would be irresponsible not to consider the option as a cost saving measure. Mayor Palmer stated that issue could be
7 discussed at a future date. Ms. Brown added that it would not be appropriate to negotiate such a service with Mr. Robinson
8 given that other contractors were not afforded to provide a bid for the service.

9 Councilmember Peterson stated the seated City Council has not been supportive of curb-side recycling, but he asked
10 if that was included in the RFP. Mr. Marshall answered no, but it is always an option to negotiate costs for such a service in
11 the future. Councilmember Peterson asked if the contract is structured in a way that the cost for green waste collection will
12 decrease if the participation level in the program increases. Mr. Marshall answered no.

13 Councilmember Lisonbee stated she is supportive of recycling, but she is not in favor of a mandated recycling
14 program through the City because there are independent vendors that provide recycling services in the community.
15 Councilmember Johnson agreed.

16 Councilmember Peterson asked if the rates charged to the residents will be reduced as a result of the amount being
17 charged by Robinson decreasing. Mr. Marshall stated the City will realize approximately \$44,000 in savings each year and it
18 will be up to the Council to determine whether to reduce rates charged to residents. He then mentioned that two of the four
19 responders requested an annual consumer product index (CPI) increase, but Robinson did not request an annual increase so
20 his rate will be fixed over the next five years.

21 [8:46:32 PM](#)

22 COUNCILMEMBER DUNCAN MADE A MOTION TO AUTHORIZE ADMINISTRATION TO EXECUTE
23 SOLID WASTE COLLECTION AGREEMENT WITH ROBINSON WASTE SERVICES. COUNCILMEMBER
24 JOHNSON SECONDED THE MOTION.

25 [8:46:49 PM](#)

26 Councilmember Duncan stated relations between Mr. Robinson and City Administration were strained over the last
27 couple of years and he appreciated Mr. Robinson working through the problems associated with a poorly written contract that

1 he had entered into with the City. He stated Mr. Robinson has always committed that he would be able to offer the lowest
2 rates to the City he is pleased to see him follow through with that commitment.

3 [8:47:35 PM](#)

4 Mayor Palmer stated there has been a motion and a second regarding the proposed agreement and he called for a
5 vote; ALL VOTED IN FAVOR.

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7 [8:47:56 PM](#)

8 13. Authorize Administration to execute Agreements for the

9 Smedley Acres Culinary Waterline Project Phase one with Leon

10 Poulsen Construction Company and HD Supply Waterworks.

11 A memo from the Public Works Director included the bid tabulation for the bids opened March 4, 2014 for the
12 Smedley Acres Waterline Project. This project will replace the old undersized culinary water main in 2400 South, 1950 West,
13 2350 South, 1800 West and 2175 South. Full width asphalt replacement will be performed on these streets. This project will
14 abandon old asbestos cement culinary mains. Ferguson Waterworks was the low bidder on Schedule B, but withdrew their
15 bid. Mountain States Supply was second lowest but their bid was rejected by the City as being incomplete. The lowest
16 responsible bidder for Schedule B is HD Supply Waterworks. The recommended low bidders and bid amount are as follows:

- 17 • SCHEDULE A
 - 18 ○ Low Bidder: Leon Poulsen Construction Company, Inc. – Bid Amount: \$399,987.34
- 19 • SCHEDULE B
 - 20 ○ Low Bidder: HD Supply Waterworks – Bid Amount: \$80,812.65
- 21 • Total Project Amount: \$480,799.99
- 22 • Engineer’s Probable Cost Opinion For Total Project: \$600,000.00

23 City staff has reviewed the submitted bid from all bidders and recommend awarding schedule A to Leon Poulsen
24 Construction Company, Inc. and schedule B to HD Supply Waterworks. The memo further explained this culinary waterline
25 project is one that was identified on our list presented to city council as a high priority due to the age, pipe material and

1 restrictions the existing 6” lines place on the system. This project will involve the replacement of an existing 6” culinary
2 main with an 8” main along with full width asphalt repaving at the following locations:

- 3 • 2400 South from 2000 West to 1950 West
- 4 • 1950 West from 2428 South to 2250 South
- 5 • 1800 West from 2350 South to 2194 South
- 6 • 2350 South
- 7 • 2175 South from 2000 West to 2043 West

8 In an effort to reduce costs, this project was bid out with a Schedule A which includes furnishing some materials and
9 installation and a Schedule B which includes furnishing materials. Public Works is pleased with the bid results and
10 recommends approval of this project. The construction will begin as soon as contract documents are in place and will be
11 completed by summer of 2014. The bid amount for the total project is \$480,799.99.

12 Staff recommends that bid Schedule A be awarded to Leon Poulsen Construction, Inc. and that bid Schedule B bid
13 be awarded to HD Supply Waterworks.

14 [8:48:11 PM](#)

15 Mr. Whiteley reviewed his staff memo.

16 The Council commended Mr. Whiteley for his foresight in separating the work needed into two different phases of
17 the same project in order to help the City realize significant cost savings.

18 Councilmember Duncan asked Mr. Whiteley if he has any concerns about the contractor’s ability to perform. Mr.
19 Whiteley answered no.

20 [8:51:46 PM](#)

21 COUNCILMEMBER LISONBEE MADE A MOTION TO AUTHORIZE ADMINISTRATION TO EXECUTE
22 AGREEMENTS FOR THE SMEDLEY ACRES CULINARY WATERLINE PROJECT PHASE ONE WITH LEON
23 POULSEN CONSTRUCTION COMPANY AND HD SUPPLY WATERWORKS. COUNCILMEMBER GAILEY
24 SECONDED THE MOTION; ALL VOTED IN FAVOR.

25

1 [8:52:08 PM](#)

2 14. Councilmember Reports

3 At each meeting the Councilmembers provide reports regarding the meetings and events they have participated in
4 since the last City Council meeting. Councilmember Duncan’s report began at [8:52:17 PM](#). He was followed by
5 Councilmembers Johnson, Lisonbee, Gailey, and Peterson.

6
7 [9:05:36 PM](#)

8 15. Mayor’s Report.

9 At each meeting the Mayor provides a report regarding the meetings and events he has participated in since the last
10 City Council meeting. Mayor Palmer’s report began at [9:05:36 PM](#).

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12 [9:06:38 PM](#)

13 16. City Manager’s Report.

14 City Manager Bovero’s report began at [9:06:38 PM](#).

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17 At [9:10:23 PM](#) p.m. COUNCILMEMBER GAILEY MADE A MOTION TO ADJOURN. COUNCILMEMBER
18 PETERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

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Terry Palmer
Mayor

Date approved: _____

Cassie Z. Brown, CMC
City Recorder

Minutes of the Syracuse City Council Work Session Meeting, March 25, 2014

Minutes of the Work Session meeting of the Syracuse City Council held on March 25, 2014, at 6:00 p.m., in the Council Work Session Room, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present: Councilmembers: Brian Duncan
Mike Gailey
Craig A. Johnson (arrived at 6:02 p.m.)
Karianne Lisonbee
Douglas Peterson

Mayor Terry Palmer
City Manager Brody Bovero
City Recorder Cassie Z. Brown

City Employees Present:
Finance Director Steve Marshall
Public Works Director Robert Whiteley
City Attorney Clint Drake
Parks and Recreation Director Kresta Robinson
Community Development Director Sherrie Christensen
Fire Chief Eric Froerer

The purpose of the Work Session was to receive public comments; receive a presentation from Irben Development regarding the proposed Ski Lakes Subdivision; have a discussion regarding the process to appoint Syracuse City Justice Court Judge; discuss a proposed ordinance amending Title Seven of the Syracuse City Code relative to fireworks and the adoption of the International Fire Code; discuss a proposed ordinance amending Title X relative to duplexes, basement apartments, and accessory dwelling units; discuss the Fiscal Year (FY) 2014-2015 budget; and discuss Council business.

Public Comments

6:01:02 PM

John Lewis thanked the Council and Mayor for reviewing the request he made in February regarding the format of City Council minutes and noted he wanted to publicly thank City Recorder Brown for changing the format of the minutes to include more discussion and summary. He then noted he wants to work with the Council relative to changes in the City's laws dealing with financial declarations for municipal election candidates. He stated that according to the current reporting requirements, candidates are not required to file their declarations until after voting has commenced and many people have found things that they did not like about a candidate's contributions or spending once those declarations have been filed. He noted it would be much better if the candidates were required to be up front and transparent about the finances of their campaigns.

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[6:03:02 PM](#)

**Presentation from Irben Development regarding the
proposed Ski Lakes Subdivision**

Mike Thayne, a representative of Irben Development, used the aid of a PowerPoint presentation to provide the Council with a brief history of the proposed Stillwater Estates Development as well as an updated proposal and design of the project. Representatives of Brighton Homes provided the Council with information regarding the lot layout of the residential components of the development as well as the proposed design and architecture of the homes to be built. The square footage of the homes to be constructed in the portion of residential area east of the ski lakes ranges from 2,500 square feet to 3,000 square feet. There was a brief discussion regarding the space allowed in the side-yards of the homes in the current design, with a focus on access to the properties for emergency responders, with Fire Chief Froerer stated the design is not concerning to him. Mr. Thayne continued his review of his presentation and highlighted the location of public parks, benches, and walking trails within the development. All parks will be maintained by the Homeowners Association, but they will be open to the public.

Councilmember Peterson asked how the lakes will be filled with water. Mr. Thayne stated that the lakes will be gravity fed from a storm drain ditch located on the east end of the property. He stated he has secured all water rights that he is required to dedicate to the City for the development. There was then a discussion regarding the potential for the development increasing the mosquito population in the City, with Mr. Thayne explaining that will not happen because there will be no vegetation in or around the lakes, which is the habitat needed for mosquitos to multiply. Councilmember Johnson stated he has had a discussion with the Davis County Mosquito Abatement District about that subject and what Mr. Thayne says is correct, but the District's concern is whether residents in the development may call them for help with other insects. He stated the District has asked for a follow-up meeting with Mr. Thayne to allow for continued review of the plan for the development.

Councilmember Duncan stated it seems there are two different developments within one single development and he asked if there will be separate conditions, covenants, and restrictions (CCRs) for each portion of the development, to which Mr. Thayne answered yes. Councilmember Duncan stated it seems one portion of the subdivision is actually high density housing while the other meets the terms of the City's cluster subdivision ordinance. He asked if all residents will have access

1 to the lakes. Mr. Thayne stated people living in the cottages will not be allowed to put a boat in the lakes. Councilmember
2 Duncan expressed his concern that the design is technically two different subdivisions and the proposal is destroying the
3 concept of public open space. Councilmember Johnson agreed and stated the residents living around the lakes have access to
4 the open space and the other portion of the development that contains the higher density housing does not meet the
5 requirements of the City's cluster subdivision ordinance. He stated there should be two different subdivisions and subsequent
6 applications for those subdivisions. He continued by explaining he is disappointed that the Planning Commission would
7 approve this application as a cluster subdivision; they are not being objective and interpreting the City's ordinances
8 appropriately. He noted this is the reason he would like for the City Council to review sketch plans. Councilmember
9 Peterson stated that is Councilmember Johnson's opinion based on his interpretation of the ordinance, but the Planning
10 Commission should interpret the ordinance in the manner they feel appropriate and the City Council has the right to vote
11 differently than the Planning Commission. Councilmember Johnson stated the City's cluster subdivision ordinance dictates
12 that all residents should benefit from the open space, but there is no open space near the homes located in the high density
13 portion of the development. Councilmember Peterson disagreed and stated the residents can access the walking path and
14 walk around the lakes; the open space does benefit the entire development and he feels the concept will attract many people.
15 Councilmember Johnson stated the 'numbers are being fudged' in order to make the development comply with the cluster
16 subdivision ordinance. Councilmember Duncan stated the open space is being given to the people willing to build a \$1
17 million home on the lakes and the people living in the smaller homes are being told they can look at the open space.

18 Mayor Palmer stated he has had some concerns about the proposal and he asked that Mr. Thayne make this
19 presentation to the Council tonight before moving any further in the approval process. He stated he would like to understand
20 how the Council may vote on this issue if further applications are made.

21 A representative of Brighton Homes stated the current design is not the starting point; Mr. Thayne and Brighton
22 Homes have been working with the City over a long period of time to address the concerns of the Planning Commission and
23 City Council and the scope of the project has actually been greatly reduced. He stated it is not uncommon for different
24 neighborhoods to have different amenities although they are part of the same subdivision. Councilmember Duncan reiterated
25 his concern about two separate developments and noted there are basically two different zones included within the same
26 subdivision. This led to a discussion regarding the overall density of the development with Ms. Christensen noting the
27 density is approximately five units per acre. Councilmember Johnson stated the density of half of the development is higher

1 than allowed in a cluster subdivision. Mr. Thayne stated that if he were really trying to leverage the open space to increase
2 the number of lots in the development, he would be asking for twice as many residential units. He stated he has reduced the
3 number of units to 165. Councilmember Peterson added that he has a hard time classifying the design that is being presented
4 as high density housing. Councilmember Johnson stated it is not high density housing, but it is higher than allowed by the
5 cluster subdivision ordinance.

6 Councilmember Gailey stated the proposed West Davis Corridor route will run adjacent to the subdivision and will
7 ultimately impact the value of the properties and the homes constructed there; he noted he is not opposed to considering the
8 development as it is currently designed and he feels the use of space as a whole meets the letter of the law. There was a
9 general discussion and review of the City's ordinance governing cluster subdivisions, with Mayor Palmer noting the density
10 of the residential portion east of the ski lakes would qualify as R-3 zoning and he asked if the Council would be willing to
11 assign R-3 or PRD zoning to that portion of the development. Councilmember Johnson stated that type of design would meet
12 the letter of the law. He stated he wants to be consistent in following the ordinances of the City.

13 Councilmember Lisonbee asked if there will be a development agreement for the project, to which Mr. Thayne
14 answered yes. Councilmember Lisonbee stated the Council has input in development agreements, including defining
15 maximum density and open space; for that reason she does not think the Council is out of line in questioning the development
16 as it is being proposed. She stated she shares the concerns of Councilmembers Duncan and Johnson and Mayor Palmer. She
17 stated she recognizes Mr. Thayne has been working on the development for some time and she appreciates all the work he
18 has done to this point, but she has also been concerned with what the Planning Commission has been saying about the
19 development. She indicated she would like for the project to be broken into two different developments with separate zoning
20 designations and HOAs with their own open space. She stated she understands both sides of the argument, but she does share
21 the concerns expressed by Councilmembers Duncan and Johnson.

22 Mr. Thayne provided a history of the development and explained he did not request the R-1 cluster zoning; he met
23 with the City over two years ago and the Planning staff recommended that zoning designation for the property. He stated he
24 has gone down the road of following that recommendation, designing a product, and spending thousands of dollars and now
25 he is hearing this is the wrong product. He stated that is very concerning to him. Councilmember Johnson stated it is not
26 necessarily the wrong product, but it needs to comply with the City's ordinances. Mr. Thayne stated that the ordinance that
27 was in place at the time that he initially applied for this project was not clear about open space being available for use by all

1 residents of the development. He stated he feels the current proposal meets the ordinance and actually exceeds the open
2 space and density requirements.

3 Mayor Palmer asked that each Councilmember communicate their desires to him and he will work with Mr. Thayne
4 and Ms. Christensen to find a way forward.

5 Councilmember Johnson asked if Mr. Thayne would be willing to place money in escrow to pay for future road
6 improvements in the area as well. Mr. Thayne stated those issues have been discussed at length at the Planning Commission
7 level. Mayor Palmer suggested that Councilmember Johnson also work with Ms. Christensen and Mr. Thayne to work
8 through those issues before an application is forwarded to the City Council.

9 The discussion concluded with a focus on the relationship between the Planning Commission and City Council and
10 the role of the Planning Commission in the City.

11

12 [7:06:08 PM](#)

13 **Discussion regarding process to appoint Syracuse**

14 **City Justice Court Judge**

15 City Attorney Drake reported Justice Court Judge Joseph Bean has been nominated by Governor Herbert to be
16 appointed as a Second District Court Judge; it will be necessary to select a new Judge to be appointed to replace Judge Bean
17 and Mr. Drake used the aid of a PowerPoint presentation to provide the Council with an explanation of the appointment
18 process.

19 Mayor Palmer asked how the Justice Court will function while waiting for a new Judge to be appointed. Mr. Drake
20 stated the City can ask any other sitting Justice Court Judge to serve as a substitute Judge in the Syracuse City Justice Court
21 until a new Judge can be appointed.

22

23 [7:17:42 PM](#)

24 **Discussion of Proposed Ordinance amending Title**

25 **Seven of the Syracuse City Code relative to fireworks**

26 **and the adoption of the International Fire Code.**

1 A staff memo from Fire Chief Froerer explained this effort is to complete three proposed revisions to Syracuse Title
2 VII as follows:

- 3 1) 7.01.020 – Adoption of International Fire Code (IFC). Our ordinance states that we adopt the current edition of
4 IFC (2012) that has been adopted by the State of Utah, as stated in Utah Code 15A-5-103. 15A-5-103 excludes
5 the appendices of the IFC. We propose adding language to our ordinance to also specifically adopt selected
6 appendices of the IFC in an effort to eliminate confusion for anyone seeking to know the standard fire flow,
7 hydrant placement and apparatus access for Syracuse City.
- 8 2) The 2013 Utah Legislative Session passed HB289, which is in conflict with our current ordinance 7.05.030.
9 Proposed revision will bring our ordinance in compliance with HB289.
- 10 3) Current ordinance does not address request for public display of fireworks (i.e., Syracuse HS requests to use
11 fireworks at homecoming). Proposed revision 7.05.015 provides description and permitting process for public
12 fireworks display requests. Also attached is proposed form for the request, which would be available from
13 syracuseut.com web site.

14 Chief Froerer reviewed his staff memo.

15 Mayor Palmer asked if the adoption of the IFC will cause the City to make any significant changes to its current
16 operations. Chief Froerer answered no and stated the change will provide more consistency and less confusion between the
17 City Code and the IFC. Mr. Drake added that the State of Utah has adopted the IFC, but the appendices have not been
18 adopted by the State because some of the items included in those documents cannot be addressed by small towns throughout
19 the State.

20 Councilmember Gailey asked how the High School or other entity would be able to acquire fireworks for their
21 homecoming game given that event is not held at the time when fireworks are typically available for sale in Utah. Chief
22 Froerer stated the school would need to use a large fireworks distributor that sells fireworks for public display. There was a
23 discussion regarding the licenses and restrictions that such companies are already required to adhere to. Mayor Palmer stated
24 that he would request that any entity seeking permission for a public fireworks display be required to provide the City with a
25 certificate of insurance.

26 Councilmember Johnson asked if the language recommended for Section 7.05.030 is taken directly from the State's
27 legislation, to which Chief Froerer answered yes. Councilmember Duncan stated he has concerns about limiting controlled

1 burns on agricultural property. Mr. Drake stated the language referencing agricultural property was taken directly from the
2 State statute and the City's ordinances cannot be less strict than State laws. Chief Froerer explained controlled burns are
3 permitted on agricultural property and any fire restriction put in place would be implemented to protect agricultural property
4 from fireworks or other ignition sources. Councilmember Lisonbee stated she finds the use of the words 'ignition source'
5 problematic. Mr. Drake stated that language is also pulled directly from State statute and fire restrictions will only be put in
6 place when recommended by the Fire Chief and approved by the City Council. Chief Froerer agreed and noted the resolution
7 the Council adopted last year only identified the prohibition of specific ignition sources. Mayor Palmer wrapped up the
8 discussion and noted that a public hearing for the proposed ordinance will be advertised on the next Council business meeting
9 agenda.

10

11 [7:36:50 PM](#)

12 **Discussion of Proposed Ordinance amending Title X**
13 **relative to duplexes, basement apartments, and accessory**
14 **dwelling units (continued from March 11, 2014 meeting.)**

15 A staff memo from Community Development Director Christensen explained the Planning Commission has been
16 reviewing Title X for the past few months regarding Duplexes, Basement Apartments and Accessory Apartments. The
17 proposed amendments provide limits and regulations for duplexes that have previously been allowed in all residential zones.
18 These amendments will demonstrate compliance with State of Utah requirements to address moderate income housing in our
19 City. The proposed ordinance reflects the recommended changes from the Planning Commission. The Planning Commission
20 held a public hearing on the proposed amendments on January 21, 2014. At a public meeting that same night the Planning
21 Commission recommended to the City Council the adoption of the proposed amendments. The memo provided the following
22 summary of amendments included in the proposed ordinance:

- | | | |
|----|-------------------|---|
| 23 | Section 10-02-040 | Adds definition of an accessory dwelling unit, clarifies definition of multi-family |
| 24 | | dwelling and dwelling. |
| 25 | Section 10-11-030 | Adds accessory dwelling as a conditional use in the A-1 zone |

1 ordinance should be to find meaningful options to facilitate the needs of residents who would like to provide a place for a
2 member of their family to live.

3 Mayor Palmer stated he is also in favor is disallowing two-family dwellings in the R1, R2, and R3 zones of the City
4 and limiting them strictly to the PRD zone.

5 Councilmember Duncan stated he wants to ensure that the City's ordinance includes architectural standards to
6 require additions to a dwelling to match as closely as possible the original architecture and construction materials used. Ms.
7 Christensen stated that would apply to all home additions and would be included in another portion of the ordinance.

8 There was a discussion about the Walker Estates subdivision and the zoning assigned that that area of the City.
9 Councilmember Gailey stated he likes the subdivision and would be supportive of prohibiting two-family dwellings in the
10 residential zones of the City as long as there is a tool to allow for the construction of a subdivision similar to Walker Estates
11 in the future. Ms. Christensen stated that the R-1 cluster or PRD zoning would accommodate such a development.

12 Councilmember Lisonbee noted zoning laws are meant to restrict rights to protect an expected community standard.
13 She stated there could be an argument to eliminate zoning laws, but if the City opts to have zoning ordinances it is necessary
14 to recognize the purpose of the laws, which is to take away certain rights. Councilmembers Duncan and Johnson agreed that
15 zoning is used as a tool and it may take away certain rights or prohibit people from doing what they want to do with their
16 property.

17 There was a general discussion about the manner in which to proceed in addressing the issue and the consensus was
18 to permit detached ADUs and not require that the unit only be rented to a family member of the resident of the primary
19 dwelling; this decision was reached due to the fact that one of the units on the property must be owner-occupied. Existing
20 ADUs or basement apartments will be grandfathered according to the existing ordinance.

21

22 [7:57:09 PM](#)

23 **Fiscal Year (FY) 2014-2015 Budget discussion**

24 City Manager Bovero stated Administration needs direction from the Council in order to proceed with assembling
25 the budget for the next FY; during the recent budget retreat there was a discussion regarding an employee retention policy
26 and the City's benchmarking strategy and he used the aid of a PowerPoint presentation to identify his goals for a retention
27 policy as well as the cities that he feels it would be most appropriate for the City to benchmark against. The first list of cities

1 is a location based list and if there are not at least 10 cities to use as a benchmark for any given position, staff will pull from
2 an additional list of cities that are of similar size and total budget amount. There was a discussion regarding the cities being
3 proposed for benchmarking and the consensus was to remove Ogden City and West Bountiful from the list. Mr. Bovero then
4 stated he would like for the City's wages to be within the 60th or 70th percentile of the market wage for any given position.
5 He used the pay range of a Police Officer 1 position to provide the Council with an example of his recommendation to pay
6 within the 60th or 70th percentile. He stated he needs to understand the Council's feelings about this approach so he can
7 proceed with developing a policy that will support engaged employees; an additional aspect of the policy will be setting clear
8 standards regarding the expectation for employee performance. Councilmember Duncan stated he wants the Administration
9 to be cognizant of anomalies because they will skew the data gathered throughout the benchmark survey.

10 Councilmember Gailey stated there was a discussion during the budget retreat regarding some of the benefits that
11 have been taken from employees and the promises that were made to eventually restore those benefits and he would like to
12 understand the details of those benefits. Mr. Bovero reviewed an informational spreadsheet identifying the changes that have
13 been made to the employees' benefits packages since 2007. Finance Director Marshall stated he does not believe employees
14 expect to have all benefits they have received in the past to be restored, but he does believe they would like to be able to see a
15 long-term compensation plan for the City so they know what to expect in the future. Mr. Bovero agreed and noted that since
16 2007 inflation has increased 9.8 percent and employees have only received a three percent pay increase since that time.
17 There was a discussion regarding increased health insurance costs that are out of the City's control, with Mayor Palmer
18 noting the Administration is trying to address the concerns that have been expressed by the Council relative to how pay
19 increases have been handled in the City in the past. Councilmember Lisonbee stated she appreciates the opportunity to look
20 at all the data relative to wages; there may be instances where the City already pays 100 percent of the market wage for a
21 position and it may be necessary to lower that wage through attrition, but there may be instances where wages are low and it
22 is necessary to provide increases. She stated, however, the Council cannot assume the City was always behaving in a fiscally
23 conservative way and some policies were abused, which led to some of the problems the City faced during the recession; The
24 Council will be doing the best they can do if they continues to be fiscally responsible and determine whether the City can
25 afford the long-term effects of raises. Councilmember Duncan stated that the benchmarking survey will provide transparency
26 to the process and give the Council a tool to inform the citizens the reasoning for providing employees with pay increases.

1 Councilmember Lisonbee then requested that Eagle Mountain and Spanish Form cities be removed from the
2 secondary benchmarking list. Councilmember Duncan also suggested that the data be analyzed as it is made available and if
3 wages are very low in certain cities that data could be eliminated from consideration as well.

4

5 [8:26:17 PM](#)

6 **Council business**

7 Each Councilmember provided a brief report of meetings and activities they have participated in since the last
8 Council meeting.

9

10

11 The meeting adjourned at 8:33 p.m.

12

13

14

15

16 _____
17 Terry Palmer
18 Mayor

Cassie Z. Brown, CMC
City Recorder

19 Date approved: _____



COUNCIL AGENDA

April 8, 2014

Agenda Item #6

Authorize Administration to write-off outstanding utility billing amounts for accounts associated with bankruptcy.

Factual Summation

- Periodically it becomes necessary to adjust utility billing accounts by writing-off outstanding amounts that are no longer collectable due to bankruptcy.
- Please see the attached spreadsheet of accounts with outstanding amounts. Any questions regarding this item can be directed at Finance Director Steve Marshall.

Recommendation

Authorize Administration to write-off outstanding utility billing amounts for accounts associated with bankruptcy.



COUNCIL AGENDA

April 8, 2014

Agenda Item #7

Proposed Ordinance 14-07 amending the zoning map of Title 10 by changing from Agriculture (A-1) Zone to Residential (R-3) Zone the parcel of property located at approximately 1900 S. 1000 W.

Factual Summation

Please see the following attachments:

- Current/Proposed Zoning Map
- Aerial
- Tivoli Gardens Sketch Plat
- Proposed Ordinance 14-07

Any question regarding this agenda item may be directed at Sherrie Christensen, Community & Economic Development Director.

Item: Proposed Ordinance No. 14-07, amending the existing zoning map of Title Ten, “Syracuse City Zoning Ordinance”, by changing from A-1 Agriculture to R-3 Residential on the parcel located at approximately 1900 S 1000 W (19.5 Acres)

Background

This property consists of 19.5 acres and is currently zoned Agriculture. The applicant has requested to rezone the property to R-3 Residential as designated on the City’s General Plan. The applicant has indicated his intent is to develop single family residential lots, as depicted in the attached sketch plan.

City staff has reviewed the application and finds that it is consistent with the City’s General plan and that it is harmonious with the overall character of the surrounding development with no adverse effects, and it has adequate facilities to serve the property.

The Planning Commission held a public hearing on April 1, 2014 for rezone request on the above noted property. The property is 19.5 acres in size and is currently zoned Agriculture with a General Plan designation of R-3. The proposed zone change is in accord with the General Plan as amended.

Recommendation for City Council Approval of the Wright Development Rezone Request

The Syracuse City Planning Commission hereby recommends that the City Council approve the rezone request, located at approx. 1900 S 1000 W, change from A-1 Agricultural to R-3 Residential.

ORDINANCE NO. 14-07

AN ORDINANCE AMENDING THE EXISTING ZONING MAP OF TITLE X, "SYRACUSE CITY ZONING ORDINANCE", REVISED ORDINANCES OF SYRACUSE, 1971, BY CHANGING FROM AGRICULTURE (A-1) ZONE TO RESIDENTIAL 3 (R-3) ZONE ON THE PARCEL(S) OF REAL PROPERTY HEREIN DESCRIBED.

WHEREAS, the City has adopted a Zoning Ordinance to regulate land use and development within the corporate boundaries of the City; and

WHEREAS, Chapter Four of the Ordinance authorizes the City Council to amend the number, shape, boundaries, or any area of any zone; and

WHEREAS, a request for rezone has been made; the same has been recommended for approval by the Planning Commission; and a public hearing has been held with the proper notice having been given 10-days prior to the hearing date;

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE CITY COUNCIL OF SYRACUSE DAVIS COUNTY, STATE OF UTAH, AS FOLLOWS:

SECTION 1: That the following described real parcels of property in Agriculture (A-1) Zone as shown on a zoning map are hereby amended and changed to Residential 3 (R-3) Zone accordingly:

Deed Description

BEG 660 FT S FR NE COR SEC 15, T4N-R2W SLM: W 1320 FT; S 660 FT; E 1320 FT; TH N 660 FT TO BEG, LESS ST, CONT 19.50 ACRES. Parcel 12-086-0013.

Said property is located at approximately 1900 S 1000 W.

SECTION 2: Effective Date. This Ordinance shall become effective immediately upon publication or posting.

PASSED AND ADOPTED BY THE CITY COUNCIL OF SYRACUSE CITY, STATE OF UTAH, THIS 8TH DAY OF APRIL, 2014.

SYRACUSE CITY

ATTEST:

Cassie Z. Brown, City Recorder

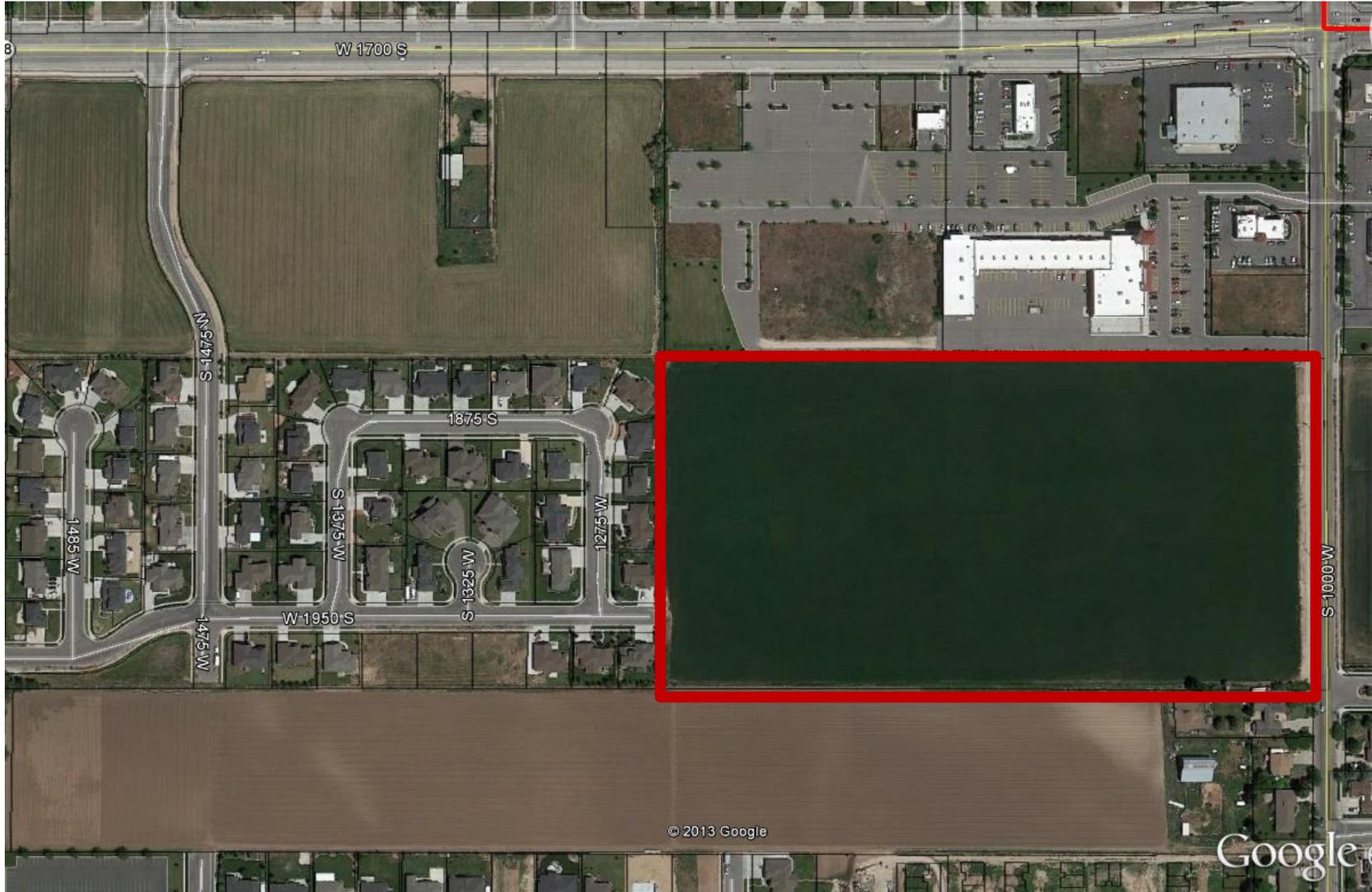
Mayor Terry Palmer

Voting by the City Council:

	“AYE”	“NAY”
Councilmember Peterson	_____	_____
Councilmember Lisonbee	_____	_____
Councilmember Duncan	_____	_____
Councilmember Johnson	_____	_____
Councilmember Gailey	_____	_____



Tivoli Gardens 1000 W 1900 S Wright Development Group





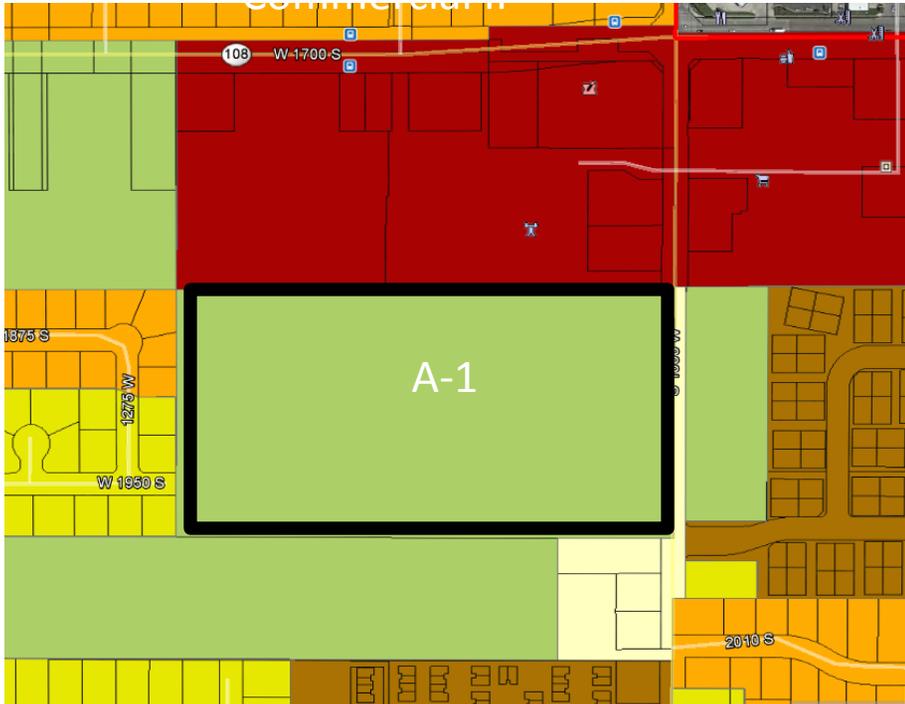
Zone Change Request

1000 W 1900 S

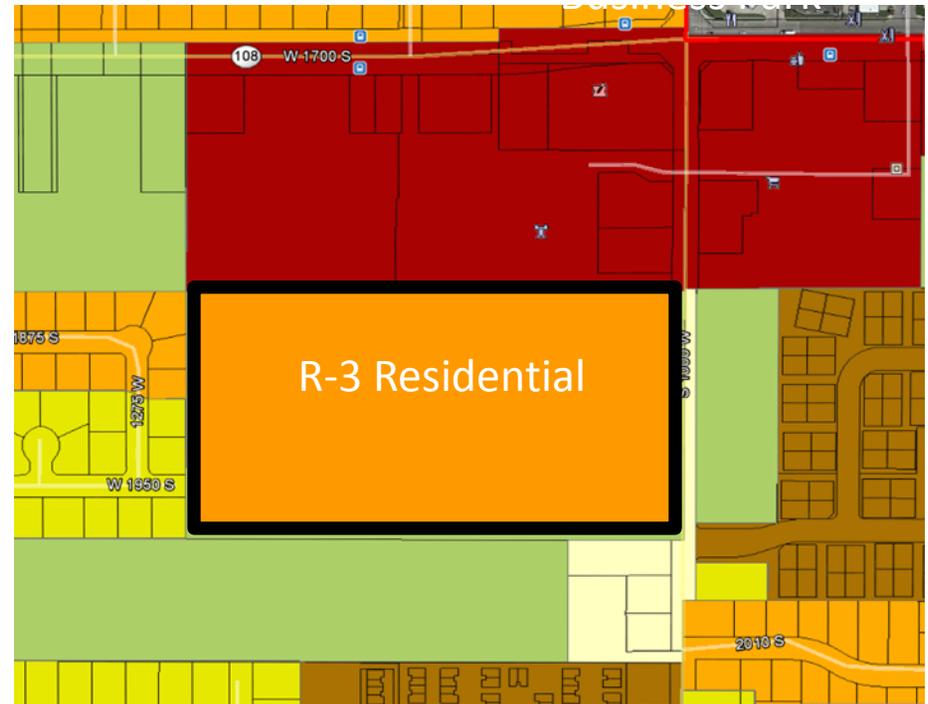
Wright Development Group



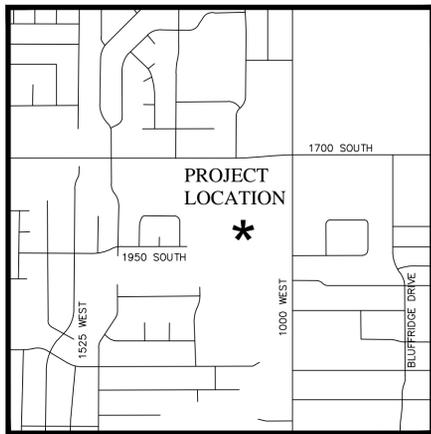
Current Zoning



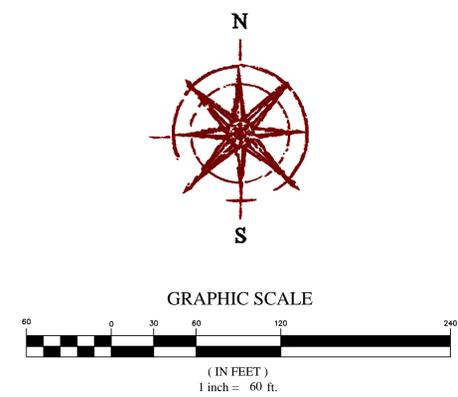
Proposed Zoning



- | | |
|--|--|
| <ul style="list-style-type: none"> Agriculture A-1 R-1 (2.90 dwellings per net acre) R-2 (3.79 dwellings per net acre) R-3 (5.44 dwellings per net acre) PRD (8.0 dwellings per net acre) R-4 (14.52 dwellings per net acre) Professional Office | <ul style="list-style-type: none"> Commercial II General Commercial Zone Industrial Zone Town Center Overlay Zone Sensitive Overlay Zone RDA & EDA Boundary |
|--|--|



VICINITY MAP
N.T.S.



DESERTSCAPE SUBDIVISION
ZONING: GC



PROPOSED DETENTION METHOD
ABOVE GROUND DETENTION LOCATION WITHIN PARCEL A
DISCHARGING INTO EXISTING STORM DRAIN SYSTEM LOCATED
IN 1950 SOUTH

EXISTING STRUCTURES
NO EXISTING STRUCTURE ON PROPERTY

NATURAL FEATURES
NO NATURAL FEATURES ON PROPERTY

DRAINAGE CHANNEL
EXISTING IRRIGATION DITCH ON SOUTH SIDE OF PROPERTY.
WILL NEED TO BE PIPED

OVERLAY ZONE
PROPERTY IS NOT LOCATED WITHIN ANY OVERLAY ZONE

OWNER/DEVELOPER
WRIGHT DEVELOPMENT GROUP
1572 NORTH WOODLAND PARK DRIVE, SUITE 505
LAYTON, UTAH 84041
(801) 773-7339
CONTACT: GARY WRIGHT/SPENCER WRIGHT

LEGAL DESCRIPTION
BEG 660 FT S FR NE COR SEC 15, 14N-R2W SLM: W 1320 FT,
S 660 FT, E 1320 FT; TH N 660 FT TO BEG, LESS ST.
CONTAINING 19.50 ACRES.

SITE STATISTICS
REQUESTED ZONE: R-3
GROSS AREA: 19.50 ACRES
NUMBER OF UNITS: 64
DENSITY: 3.28 UNITS/ACRE
NUMBER OF PHASES: 2

FEASIBILITY REPORT

- PROPOSED METHOD OF CONNECTING TO CITY UTILITIES:
 - CULINARY WATER WILL CONNECT TO EXISTING LINES IN 1000 WEST AND 1950 SOUTH.
 - SECONDARY WATER WILL CONNECT TO EXISTING LINES IN 1000 WEST AND 1950 SOUTH.
 - STORM DRAIN WILL BE DETAINED ON SITE AND THEN DISCHARGED INTO THE EXISTING STORM DRAINAGE SYSTEM IN 1950 SOUTH. SANITARY SEWER WILL CONNECT TO THE EXISTING SYSTEM IN 1950 SOUTH.
 - LAND DRAIN WILL CONNECT TO EXISTING SYSTEM IN 1950 SOUTH.
 - IRRIGATION RIGHTS WILL BE CONVEYED PRIOR TO START OF CONSTRUCTION.
- SEE SITE STATISTIC TABLE ABOVE.
- THERE ARE NO WETLANDS/POTENTIAL WETLANDS ON THE PROPERTY AND IS NOT LOCATED WITHIN THE SENSITIVE LANDS OVERLAY ZONE.
- SEE SITE STATISTIC TABLE ABOVE.
- SECONDARY INGRESS/EGRESS WILL BE MET BY CONNECTING TO 1950 SOUTH AND 100 WEST.

TIVOLI GARDENS
SYRACUSE, DAVIS COUNTY, UT
SKETCH PLAN

REVISION BLOCK	
#	DESCRIPTION
1	
2	
3	
4	
5	
6	

SKETCH PLAN

Scale: 1"=60'
Date: 03/28/2014
Sheet: ---
Drawn: DRP
Job #: 14-033



COUNCIL AGENDA

April 8, 2014

Agenda Item “8” Public Hearing - Proposed Ordinance 14-08 amending Title Seven of the Syracuse City Code pertaining to fireworks and the adoption of the International Fire Code.

Factual Summation

Please see the information below from Fire Chief Eric Froerer as well the attached draft version of an ordinance that would amend various sections of Title Seven of the Syracuse City Code.

This item was discussed during the March 25, 2014 work session and the Council directed staff to advertise a public hearing for the proposed ordinance.

This effort is to complete three proposed revisions to Syracuse Title VII as follows:

- 1) 7.01.020 – Adoption of International Fire Code (IFC). Our ordinance states that we adopt the current edition of IFC (2012) that has been adopted by the State of Utah, as stated in Utah Code 15A-5-103. 15A-5-103 excludes the appendices of the IFC. We propose adding language to our ordinance to also specifically adopt selected appendices of the IFC in an effort to eliminate confusion for anyone seeking to know the standard fire flow, hydrant placement and apparatus access for Syracuse City.
- 2) The 2013 Utah Legislative Session passed HB289, which is in conflict with our current ordinance 7.05.030. Proposed revision will bring our ordinance in compliance with HB289.
- 3) Current ordinance does not address request for public display of fireworks (i.e, Syracuse HS requests to use fireworks at homecoming). Proposed revision 7.05.015 provides description and permitting process for public fireworks display requests. Also attached is proposed form for the request, which would be available from syracuseut.com web site.

ORDINANCE NO. 14-08

AN ORDINANCE AMENDING TITLE SEVEN OF THE SYRACUSE CITY CODE PERTAINING TO FIREWORKS AND THE ADOPTION OF THE INTERNATIONAL FIRE CODE.

WHEREAS, due to the pace of growth in the City there are, from time to time, small proposed changes to various City ordinances that are warranted; and

WHEREAS, these small proposed changes come to the attention of City staff through varied means including but not limited to questions, concerns or complaints from the general public and or from developers that are seeking clarification on the language in the City code; and

WHEREAS, staff takes each question or concern under consideration and addresses it on case-by-case basis in a fair and judicious manner paying specific attention to the reasonableness and legality of the request as well as the reasonableness and legality of the City's own ordinances; and

WHEREAS, after such consideration staff will either support and sustain current ordinances as adopted or in other cases staff will research and address each proposed change and put forth amendments to existing ordinances; and

WHEREAS, staff now hereby wishes to adopt various changes to Title Seven to address such proposed changes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF SYRACUSE CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Amendment. The following sections of Syracuse City Municipal Code are hereby amended as follows:

7.01.020 ADOPTION OF INTERNATIONAL FIRE CODE

The International Fire Code as currently adopted by the State of Utah is hereby adopted by reference and made part of this chapter. **Appendices B – Fire-Flow Requirements for Buildings, C – Fire Hydrant Locations and Distribution, D – Fire Apparatus Access Roads of the International Fire Code are also hereby adopted.** Any successive amendments **or** editions, ~~and/or appendixes~~ adopted by the State of Utah are hereby incorporated herein by reference and shall be effective upon the date they are effective as a Utah State Statute. **In the event a successive amendment or edition is adopted, Appendices B, C or D shall also be adopted and are hereby incorporated herein by this reference and shall be effective upon the same date.** **Appendices A – Board of Appeals, E – Hazard Categories, F – Hazard Ranking, G – Cryogenic Fluids-Weight and Volume Equivalents are included as guides. A copy of said code shall be deposited in the administrative office of the City and open for public inspection.** ~~Not less than three copies of said code shall be deposited in the office of the City and open for public inspection and uses.~~ (Ord. 02-04) (Ord. 12-27)

7.05.015 PUBLIC DISPLAY OR SPECIAL EFFECTS FIREWORKS; PERMIT REQUIRED

No person shall discharge any display or special effects fireworks without first obtaining a permit issued by the Fire Department. A separate permit shall be required for each public display or special effects fireworks event. Application for this permit shall be in writing on the form "Public Display or Special Effects Fireworks Application" and shall:

- (1) Include the name, address, and telephone number of the person, firm, entity, or corporation applying for the permit;
- (2) Describe the specific location of the discharge, display, fallout, and spectator locations;
- (3) Include evidence of commercial general liability insurance in an amount not less than One Million Dollars (\$1,000,000.00) per occurrence and Two Million Dollars (\$2,000,000.00) aggregate;
- (4) Describe a plan for monitoring weather conditions, crowd control, and contingency plans for adverse or changing conditions; and
- (5) Include any additional information reasonably required by the City.

A completed application containing all the above information shall be submitted to the Fire Department at least fourteen (14) days prior to the planned discharge of display or special effects fireworks.

7.05.030 AUTHORITY OF LOCAL FIRE OFFICIAL TO RECOMMEND ORDERS

When the Fire Chief determines that hazardous environmental conditions necessitate controlled use of any ignition source, including fireworks, lighters, matches and smoking materials; the City Council may prohibit only the ignition or use of the ignition source in brush-covered areas or the wildland urban interface area, which means the line, area or zone where structures or human development meet or intermingle with undeveloped wildland or land being used for an agricultural purpose. ~~The Fire Chief is hereby authorized to issue orders prohibiting use of any fireworks in any area of the municipality for a period of time not to exceed one year where and when the Fire Chief determines that hazardous environmental conditions necessitate controlling or prohibiting the use thereof. (Ord. 12-27)~~

Section 2. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 3. Effective Date. This Ordinance shall become effective immediately upon publication or posting.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF SYRACUSE CITY,
STATE OF UTAH, THIS 8th DAY OF APRIL, 2014.**

SYRACUSE CITY

ATTEST:

Cassie Z. Brown, City Recorder

Mayor Terry Palmer

Voting by the City Council:

	“AYE”	“NAY”
Councilmember Duncan	_____	_____
Councilmember Gailey	_____	_____
Councilmember Johnson	_____	_____
Councilmember Lisonbee	_____	_____
Councilmember Peterson	_____	_____



COUNCIL AGENDA

April 8, 2014

Agenda Item #9

Title X Amendments-Two Family Dwellings, Basement Apartments, Accessory Apartments

Factual Summation

Please see the attached:

- a. Proposed Ordinance 14-01, amendment to Title X
- b. Redline Title X

Any question regarding this agenda item may be directed at Sherrie Christensen, Community & Economic Development Director.

Background

The Planning Commission has been reviewing Title X for the past few months regarding Two Family Dwellings, Basement Apartments and Accessory Apartments. The proposed amendments provide limits and regulations for two family dwellings that have previously been allowed in all residential zones. These amendments will demonstrate compliance with State of Utah requirements to address moderate income housing in our City. The proposed ordinance reflects the recommended changes from the Planning Commission.

The Planning Commission held a public hearing on the proposed amendments on January 21, 2014. At a public meeting that same night the Planning Commission recommended to the City Council the adoption of the proposed amendments.

The areas highlighted in yellow indicated the amendments directed by the Council at the last work session.

Summary of Amendments

Section 10.10.040	Adds definition of an accessory dwelling unit, clarifies definition of multi-family dwelling and dwelling.
Section 10.55.030	Adds accessory dwelling as a conditional use in the A-1 zone
Section 10.60.030	Deletes Two-family dwellings (duplexes) and replaces with accessory dwelling as a conditional use in the R-1 zone.
Section 10.65.030	Deletes Two-family dwellings (duplexes) and replaces with accessory dwelling as a conditional use in the R-2 zone.

- Section 10.70.030 Deletes Two-family dwellings (duplexes) and replaces with accessory dwelling as a conditional use in the R-3 zone.
- Section 10.30.020(D) Provides regulations for two-family dwellings in the PRD zone & Cluster Subdivisions with the following requirements:
- Increases the lot size requirement for duplex lot from 8,000 sq. ft. to 11,000 sq. ft. and lot width/frontage from 80 feet to 100 feet.
 - Restricts rental of dwelling to long term rental, not nightly or weekly rentals.
 - Provides design guidelines that restrict the look and feel of the structure, so that that the structure appears similar to a single family dwelling and has a lesser visual impact on the neighborhood.
- Section 10.30.020(E) Provides regulations for accessory dwellings (currently permitted as two-family dwellings) in residential zones with the following requirements:
- Requires one unit to be owner occupied.
 - Limits 1 accessory unit per lot
 - Provides for increased setback requirement for new accessory unit construction, which is detached from the main dwelling.
 - Provides for required increased lot size by 3,000 sq. ft. for accessory units in detached structures and prohibits them in Cluster Subdivisions.
 - Restricts nightly rentals.
 - Restricts home occupations in accessory unit
 - Requires increased setback if windows are placed on walls adjacent to abutting properties.
 - Provides size restrictions for minor CUP:
 - Basement or attic 50% gross sq. ft.
 - Attached 650 sq. ft.
 - Provides size restrictions for major CUP:
 - Detached 50% gross sq. ft.
 - Requires parking based upon the number of bedrooms in the accessory unit.
 - Requires entrance to accessory unit from the side or 20' to the rear of main dwelling entrance.
 - Requires detached structure to be compatible architecture and materials of main dwelling.

Recommendation for City Council Approval of Ordinance 14-01, Various Sections, Title X

The Syracuse City Planning Commission hereby recommends that the City Council approve the adoption of Ordinance 14-01, Amending Title X.

ORDINANCE NO. 14-01

AN ORDINANCE AMENDING VARIOUS SECTIONS OF TITLE X OF THE SYRACUSE CITY MUNICIPAL CODE PERTAINING LAND USE.

WHEREAS, due to the pace of growth in the City there are from time to time small proposed changes to various City ordinances that are warranted; and

WHEREAS, these small proposed changes come to the attention of the Planning Commission through varied means including but not limited to questions, concerns or complaints from the general public and or from developers that are seeking clarification on the language in the City code; and

WHEREAS, the Planning Commission takes each question or concern under consideration and addresses it on case-by-case basis in a fair and judicious manner paying specific attention to the reasonableness and legality of the request as well as the reasonableness and legality of the City's own ordinances; and

WHEREAS, after such consideration Planning Commission will either support and sustain current ordinances as adopted or in other cases have staff research and address each proposed change and put forth amendments to existing ordinances; and

WHEREAS, the Planning Commission now hereby wishes to amend various sections of Title X to address such proposed changes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF SYRACUSE CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Amendment. The following sections of Syracuse City Municipal Code are hereby amended as follows:

10.10.040 Definitions. (former section 10-2-040)

"Dwelling" means a building or portion thereof designed and used for residential occupancy, including single-family, two-family, and multifamily, but does not include boarding, rooming, or lodging houses, tents, yurts, trailers, motels, cottage camps, or similar structures designed and used primarily for transient residential uses.

"Dwelling group" means a group of two or more detached buildings used as residences- dwellings located on a parcel of land under one ownership and having a yard or court in common.

"Dwelling, multifamily" means a building containing not less more than two dwelling units.

"Dwelling, single-family" means a building designed with accommodations for and occupied by one family only.

“Dwelling, two-family” means a building under single ownership containing two dwelling units, designated for occupancy by not more than two families.

“Dwelling, two-family-~~attached (duplex/twin home)~~” means a single-family dwelling attached to another single-family dwelling by a common wall or floor with both dwellings located on the same lot.

“Dwelling unit” means a building or portion thereof that provides separate and independent living, cooking, sleeping, and sanitation facilities for one family.

“Dwelling, Accessory” means an additional living quarters on a single-family lot that is independent of the primary dwelling unit. The accessory dwelling unit shall be a complete housekeeping unit with a shared or separate entrance, separate kitchen, sleeping area, closet space , and bathroom facilities.

(A-1 Zone)

10.55.030 Conditional uses. (former section 10-11-030)

The following, and no others, may be conditional uses permitted after application and approval as specified in SCC 10.20.080.

(A) Accessory uses and buildings (200 square feet or greater) (minor).

(B) Cluster subdivisions (major).

(C) Day care centers (major).

(D) Dog kennels (minor).

(E) Dwelling, Accessory (Major/Minor see SCC 10.30.020)

(~~E~~F) Educational services, private (minor).

(~~F~~G) Greenhouses (minor).

(~~G~~H) Home occupations (major).

(~~H~~I) Private parks and recreational activities (minor).

(~~I~~J) Public and quasi-public buildings (major).

(JK) Sewage treatment plants (major).

(KL) Stables, public (minor).

(LM) Temporary commercial uses (see SCC 10.35.050) (minor). [Ord. 11-10 § 5; Ord. 11-02 § 1 (Exh. A); Ord. 10-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Ord. 03-18; amended 1991; Code 1971 § 10-11-030.]

(R-1 Zone)

10.60.030 Conditional uses. (former section 10-12-030)

The following, and no others, may be conditional uses permitted after application and approval as specified in SCC 10.20.080.

(A) Accessory uses and buildings (200 square feet or greater) (minor).

(B) Apiaries (minor).

(C) Cluster subdivisions (major).

(D) Day care centers (major).

(E) Dog kennels (minor).

(F) Dwellings, ~~two-family (major)~~ Accessory (Major/Minor see SCC 10.30.020).

(G) Dwelling groups (major).

(H) Greenhouses (minor).

(I) Home occupations (major).

(J) Private parks and recreational activities (minor).

(K) Temporary commercial uses (see SCC 10.35.050) (minor).

(L) Temporary use of buildings (See SCC 10.30.100(A)(9)) (minor). [Ord. 11-13 § 3; Ord. 11-10 § 6; Ord. 11-02 § 1 (Exh. A); Ord. 10-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Ord. 03-18; amended 1991; Code 1971 § 10-12-030.]

(R-2 Zone)

10.65.030 Conditional uses. (former section 10-13-030)

The following, and no others, may be conditional uses permitted after application and approval as specified in SCC 10.20.080.

(A) Accessory uses and buildings (200 square feet or greater) (minor).

(B) Apiaries (minor).

(C) Day care centers (major).

(D) Dwellings, ~~two-family (major)~~ Accessory (Major/Minor see SCC 10.30.020).

(E) Dwelling groups (major).

(F) Dog kennels (minor).

(G) Home occupations (major).

(H) Temporary commercial uses (see SCC 10.35.050) (minor).

(I) Temporary use of buildings (see SCC 10.30.100(A)(9)) (minor). [Ord. 11-10 § 7; Ord. 11-04 § 3; Ord. 11-02 § 1 (Exh. A); Ord. 10-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Ord. 03-18; amended 1998; Code 1971 § 10-13-030.]

(R-3 Zone)

10.70.030 Conditional uses. (former section 10-14-030)

The following, and no others, may be conditional uses permitted after application and approval as specified in SCC 10.20.080.

(A) Accessory uses and buildings (200 square feet or greater) (minor).

(B) Apiaries (minor).

(C) Day care centers (major).

(D) Dwellings, ~~two-family (major)~~ Accessory (Major/Minor see SCC 10.30.020).

(E) Home occupations (major).

(F) Temporary commercial uses (see SCC 10.35.050) (minor).

(G) Temporary use of buildings (see SCC 10.30.100(A)(9)) (minor). [Ord. 11-10 § 8; Ord. 11-04 § 4; 11-02 § 1 (Exh. A); Ord. 10-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Ord. 03-18; amended 1994, 1991; Code 1971 § 10-14-030.]

(Chapter 30, General Land Use Regulations) ([former chapter 6, section 10-6-020](#))

10.30.020 Regulations for buildings and structures.

Buildings or structures, where allowed, shall comply with the following regulations specific to each type of structure:

(D) [Dwellings, Two-\[2\] Family Attached.](#)

Two-Family Attached dwelling units as defined in this title shall be subject to the following:

(1) [Two-Family dwelling units are only permitted as a conditional use in the PRD-Planned Residential Zone and in an R-1 Cluster Subdivision, subject to the provisions of this section.](#)

(2) [One two-family dwelling unit is permitted per residential lot.](#)

(3) [Underlying Zoning Applies: Unless specifically provided otherwise in this section, two-family dwelling units are subject to the regulations for a principal building of the underlying zoning district with regard to lot standards, such as building and wall height, setbacks, yard requirements and building coverage.](#)

(4) [Minimum lot area. The minimum lot size for a two-family dwelling shall be that of the underlying zone district, plus an additional 3,000 sq. ft.](#)

(5) [Minimum frontage. The minimum frontage for a two-family dwelling shall be that of the underlying zone district, plus an additional twenty \(20\) feet.](#)

(6) [Building Code Compliance: Two family dwelling units are subject to compliance with current building code at the time of permit approval.](#)

(7) [Two family dwellings shall be required to have separate utility services for each unit.](#)

(8) [Nightly Rental: Neither dwelling unit may be used for nightly/weekly rental.](#)

(9) [Parking: Parking shall be provided such that each unit of a two family dwelling is equal to that parking requirement of a single family dwelling.](#)

(10) Conditional Use Permit Required: A conditional use permit shall be required for a two family dwelling unit in compliance with the standards of review set forth in this code. Applications which do not meet the minimum standards set forth herein for minor conditional use permit and have been denied by the Zoning Administrator may be appealed to the Planning Commission for review.

(11) Occupancy. No two family dwelling shall be occupied until the property owner has obtained a building permit and certificate of final occupancy from the city.

(12) Design Guidelines: Two-family homes shall be designed such that the structure has the appearance of a single family dwelling from the street. To achieve this all new two-family homes shall conform to the following design guidelines:

(a) Only one units garage doors(s) may face each street for which the structure obtains access from, unless single wide tandem parking garages are utilized and are side by side (see figure 1c below).

(b) A shared driveway shall be utilized when both units obtain street access from the same street.

(c) At least one main entryway should be visible from the front of the structure.

(d) Entrances shall be visible and approaches to the front entrance of each dwelling unit should be clearly delineated by improved walkways and landscaping.

(e) There shall be a variation in the wall plane on all facades visible from a public street or public view.

(f) Architectural elements, such as balconies, porches, overhangs, trellises, projections, awnings, insets, materials and textures shall be used to create shadow patterns that contribute to a buildings character and visual interest.

(g) Rooflines shall be broken at intervals no greater than 50 feet long by changes in height or step backs.

This:



Figure 1a

Not This:



Figure 2a



Figure 1b (rear side garage)



Figure 2b (garage prominence)



Figure 1c (single car wide garages)



Figure 2c (garage forward)

(E) Dwelling, Accessory.

Accessory dwelling units as defined in this title shall be subject to the following:

(1) Internal, Attached, or Detached: Accessory dwelling units may be built internal to, attached to, or as a separate unit detached from the principal dwelling on a lot where a single family dwelling exists, in accordance to the standards set forth in this section. Accessory dwelling units are allowed in the following residential zone districts: R-1, R-2, & R-3 subject to the provisions of this section.

(2) Owner Occupant Requirement: Accessory dwelling units shall only be permitted when an owner occupant lives on the property within either the principal dwelling or accessory dwelling unit. Owner occupancy shall not be required when:

(a) The owner has a bona fide, temporary absence of three (3) years or less for activities such as military service, temporary job assignments, sabbaticals, or voluntary service (indefinite periods of absence from the dwelling shall not qualify for this exception); or

(b) The owner is placed in a hospital, nursing home, assisted living facility or other similar facility that provides regular medical care, excluding retirement living facilities or communities.

(3) Deed Restriction: A lot approved for development with an accessory dwelling unit shall have a deed restriction, the form of which shall be approved by the City Attorney, filed with the county recorder's office indicating such owner occupied requirement of the property prior to issuance of a building permit for the accessory dwelling unit by the city. Such deed restriction shall run with the land until the accessory dwelling unit is discontinued, abandoned or revoked.

(4) One accessory dwelling unit is permitted per single family residential lot.

(5) Underlying Zoning Applies: Unless specifically provided otherwise in this section, accessory dwelling units are subject to the regulations for a principal building of the underlying zoning district with regard to lot standards, such as building and wall height, setbacks, yard requirements and building coverage.

(a) An existing accessory structure whose setbacks do not meet the minimum requirements for a principal building may be converted into an accessory dwelling unit, but any noncomplying setbacks may not become more noncomplying.

(b) New construction for an accessory dwelling unit, not contained within the principal building, shall meet the minimum standards for accessory structures, but shall be set back from the rear and side property lines a minimum distance of 5 feet (including eaves) and shall meet all applicable fire separation requirements.

(6) Existing Development On Lot: A single-family dwelling shall exist on the lot or will be constructed in conjunction with the accessory dwelling unit.

(7) Minimum Lot Area: Within permissible zoning districts, the minimum lot area required for an accessory dwelling unit shall be:

(a) Internal: For accessory dwelling units located within the principal single family dwelling, the minimum lot size shall be that of the underlying zone district.

(b) Attached: For accessory dwelling units located with an addition to the single-family dwelling, the minimum lot size shall be that of the underlying zone district.

(c) Detached: For accessory dwelling units located within a detached structure, the minimum lot size shall be that of the underlying zone district, plus an additional 3,000 sq. ft.

(d) Cluster Subdivisions: Detached accessory dwelling units shall be prohibited on single-family lots with less than 10,000 square feet.

(8) Building Code Compliance: Accessory dwelling units are subject to compliance with current building code.

(9) Separate Utility Connections: Separate utility connections shall not be permitted for internal accessory dwelling units. Owners of lots with an accessory dwelling unit shall be charged for two city utility connections, regardless of shared connection.

(10) Not a Unit of Density: Accessory dwelling units are not considered a unit of density and therefore are not included in the density calculation for residential property.

(11) Nightly Rental: Neither dwelling unit may be used for nightly/weekly rental.

(12) Home Occupations: Home occupations [minor] in accessory dwelling units shall only be permitted for those businesses where no clientele visits are made to the property in order to maintain the residential nature of the dwelling unit.

(13) Windows: In a detached accessory dwelling unit, the placement of windows within the accessory dwelling unit shall not be allowed within ten feet (10') of a side yard or rear yard property line.

(14) Methods of Creation: An accessory dwelling unit may only be created through one or more of the following methods:

(a) Conversion of existing living area within a principal structure, such as a basement or attic space;

(b) Addition of floor area to a principal structure;

(c) Construction of a new single family structure with an internal or detached accessory dwelling unit;

(d) Conversion or addition onto an existing accessory structure on a lot, such as to a garage or other outbuilding, where no required parking for the principal dwelling is eliminated by the accessory dwelling unit; or

(e) Construction of a new accessory dwelling unit with a separate detached structure in compliance with applicable lot coverage regulations.

(15) Size of Accessory Dwelling Unit:

(a) Internal accessory dwelling units (basement or attic) shall not exceed fifty percent of the gross square footage of the principal dwelling unit.

(b) Attached accessory dwelling units shall not exceed fifty percent of the gross square footage of the principal dwelling unit or six hundred fifty (650) square feet, whichever is less.

(c) Detached accessory dwelling units shall not exceed fifty (50) percent of the footprint of the main dwelling, excluding the garage, and are permitted as a major conditional use permit, approved by the Planning Commission.

d. The minimum size of an accessory dwelling unit is that size specified and required by the adopted building code of the city.

(16) Ownership: An accessory dwelling unit shall not be sold separately or subdivided from the principal dwelling unit or lot.

(17) Number of Residents: The total number of residents that may reside in an accessory dwelling unit may not exceed the number that is allowed for a "family" as defined in this code.

(18) Parking:

(a) An accessory dwelling unit that contains a studio or single bedroom shall require one additional on-site parking space.

(b) An accessory dwelling unit that contains two (2) or more bedrooms shall require two (2) additional on-site parking spaces. Parking may be provided in tandem for accessory unit only, when sufficient on street parking is also available and the lot is not located within a cul-de-sac.

(19) Location of Entrance to Accessory Dwelling Unit:

(a) Internal or Attached Units: Accessory dwelling units that are internal to or attached to a principal dwelling may take access from an existing entrance on a street-facing front façade of the principal dwelling. No new street facing entrances may be added to the principal dwelling for an accessory dwelling unit unless such access is located at least twenty feet (20') behind the front façade of the principal dwelling unit.

(b) Detached Units: Accessory dwelling units that are detached from the principal dwelling may utilize an existing street-facing façade as long as the entrance is located at minimum of twenty feet (20') behind the front façade of the principal dwelling, or install

a new entrance to the existing or new detached structure for the purpose of serving the accessory dwelling unit as long as the entrance facing the rear or side of the lot.

(c) Corner Lots: On corner lots, existing entrances on the street-facing sides may be used for an accessory dwelling unit, but any new entrance shall be located facing toward the rear property line or interior side yard, or toward the back of the principal dwelling.

(20) Exterior Design: Accessory dwelling units shall be regulated by the following exterior design standards:

(a) The maximum height of a detached accessory structure containing an accessory dwelling unit shall not exceed the height of the principal structure;

(b) An accessory dwelling unit shall be designed and constructed to be compatible with the principal structure and shall meet the minimum standards set forth for the principal dwelling in SCC 10.30.020(B) of this code.

(21) Conditional Use Permit Required: A conditional use permit shall be required for an accessory dwelling unit in compliance with the standards of review set forth in this code. Applications which do not meet the minimum standards set forth herein and have been denied by the Zoning Administrator as a minor conditional use permit, may be appealed to the Planning Commission for review.

(22) Building Permit: A building permit is required for the proposed accessory dwelling unit, regardless of method of creation.

(23) Occupancy. No accessory dwelling unit shall be occupied until the property owner has obtained a building permit and certificate of final occupancy from the city.

Section 2. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 3. Effective Date. This Ordinance shall become effective immediately after publication or posting.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF SYRACUSE CITY,
STATE OF UTAH, THIS 8th DAY OF May, 2014.**

SYRACUSE CITY

ATTEST:

Cassie Z. Brown, City Recorder

Mayor Terry Palmer

Voting by the City Council:

“AYE” “NAY”

Councilmember Peterson	___	___
Councilmember Lisonbee	___	___
Councilmember Duncan	___	___
Councilmember Johnson	___	___
Councilmember Gailey	___	___



COUNCIL AGENDA

April 8, 2014

Agenda Item #10 Proposed Ordinance 14-09 amending various sections of Title Ten of the Syracuse City Code pertaining to land use relative to the C-2 Zoning designation.

Factual Summation

Please see the attached:

- a. Proposed Ordinance 14-09, amendment to Title X
- b. Redline Title X

Any question regarding this agenda item may be directed at Sherrie Christensen, Community & Economic Development Director.

Background

The Planning Commission has reviewed the request by the Council to rescind the C-2 zone and has forwarded a favorable recommendation to the Council. Staff recommended holding a second public hearing, although a previous recommendation had been made in May 2013, due to the length of time since the previous action and the fact that amendments were made to the C-2 zone in September 2013, at the direction of the former Mayor and Council, and were the results of public meetings in which the recommendation to rescind were discussed.

The Planning Commission held a public hearing on the proposed amendments on March 18, 2014. At a public meeting that same night the Planning Commission recommended to the City Council the adoption of the proposed amendments. Staff concurs that the amendments are appropriate and are in accordance with the amended General Plan.

Summary of Amendments

Section 10.30.080	Removes the C-2 zone language from the Buffer Table.
Section 10.45.040	Removes the C-2 zone language from the Sign Regulations.
Section 10.50.010	Removes C-2 from the Establishment of zones.
Section 10.65.030	Deletes Two-family dwellings (duplexes) and replaces with accessory dwelling as a conditional use in the R-2 zone.
Section 10.95	Deletes all of the C-2 Chapter Regulations.

Recommendation for City Council Approval of Ordinance 14-xx, Various Sections, Title X

The Syracuse City Planning Commission hereby recommends that the City Council approve the adoption of Ordinance 14-09, Amending Title X.

ORDINANCE NO. 14-09

AN ORDINANCE AMENDING VARIOUS SECTIONS OF TITLE X OF THE SYRACUSE CITY MUNICIPAL CODE PERTAINING LAND USE.

WHEREAS, due to the pace of growth in the City there are from time to time small proposed changes to various City ordinances that are warranted; and

WHEREAS, these small proposed changes come to the attention of the Planning Commission through varied means including but not limited to questions, concerns or complaints from the general public and or from developers that are seeking clarification on the language in the City code; and

WHEREAS, the Planning Commission takes each question or concern under consideration and addresses it on case-by-case basis in a fair and judicious manner paying specific attention to the reasonableness and legality of the request as well as the reasonableness and legality of the City’s own ordinances; and

WHEREAS, after such consideration Planning Commission will either support and sustain current ordinances as adopted or in other cases have staff research and address each proposed change and put forth amendments to existing ordinances; and

WHEREAS, the Planning Commission now hereby wishes to amend various sections of Title X to address such proposed changes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF SYRACUSE CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Amendment. The following sections of Syracuse City Municipal Code are hereby amended as follows:

10.10.040 Definitions.

“Development Review Committee (DRC)” means a group of appointed City officials, or their designees, given review and consultation responsibility concerning proposed development projects, including C-2 site plans and private residential development subdivisions.

10.30.080 Buffer yards.

**Table 2
Buffer Classification Requirements**

	Buffer Classification Requirements*	EXISTING LAND <u>USE</u> CLASSIFICATION					
		1	2	3	4	5	6
Proposed	Industrial	—	E	E	E	E	—

**Table 2
Buffer Classification Requirements**

Land Use	Buffer Classification Requirements*	EXISTING LAND <u>USE</u> CLASSIFICATION					
		1	2	3	4	5	6
Business Park		—	D	D	D	D	—
Neighborhood Services		—	C	C	C	C	—
General Commercial		A	D	D	D	D	—
C-2 Commercial		A	C	D	E	D	—
Agriculture		—	—	A	A	B	C
R-1 Residential		A	—	—	A	B	C
R-2 Residential		A	—	—	—	C	D
R-3 Residential		A	—	—	—	C	E
Private Residential Development		A	C	D	—	D	E
Professional Office		C	D	D	D	—	—
Research Park		C	D	E	E	E	E

* Refer to minimum lot standards associated with each zone for minimum yard setback requirements.

NOTE: Any residential use abutting agriculture or farm industry must have a five-foot nonclimbable fence.

10.45.040 General limitations.

(C) Electronic message signs shall be allowed in GC, ~~C-2~~, research park, industrial, professional office, and town center zones. These signs may be an attached or detached type. The square footage of these signs shall be counted into the maximum sign area described in this title. The measured area of the electronic message sign may not exceed 70 percent of the total area of the sign. These signs shall not cause glare or be rapid blinking, nor be so intensely lighted that they may create a nuisance or hazard to vehicular traffic, pedestrians or adjacent properties.

These signs shall have a minimum of three-second intervals between complete screen changes. Any time an electronic message sign is operating between sunset and sunrise, said signs shall be set at not more than 40 percent of the maximum capable light output. Any detached electronic message sign shall be placed perpendicular to the street onto which it is constructed. Electronic message signs may also be allowed with minor conditional use permits for all community uses in any zone, provided the sign shall not be located within 200 feet of any current or future residential use as designated in the City’s general plan, as measured from the base of the sign to the nearest point of the residential property. The community use must also have frontage on an arterial street as designated in the City’s master street plan. A community use shall be identified as but not limited to:

- (1) Schools.
- (2) Churches.
- (3) Libraries.
- (4) Community buildings not used for any commercial purpose.
- (5) Government buildings and/or government owned property.

10.50.010 Establishment of zones.

The City Council hereby divides the City into the following zones as shown on the map entitled “Syracuse City Zoning Map,” which map and boundaries, notations, references, and other information shown thereon shall be as much a part of this title as if the information and matters set forth by said map were all fully described herein.

A-1 agriculture	Half a dwelling per net acre
R-1 residential	2.90 dwellings per net acre
R-2 residential	3.79 dwellings per net acre
R-3 residential	5.44 dwellings per net acre
PRD residential	Up to 8.0 dwelling units per net acre; or up to 12.0 dwelling units per net acre, subject to recommendation by the Planning Commission and approval by the City Council
PO professional office	
GC general commercial	
C-2 commercial	
NS neighborhood services	
BP business park	
RP research park	
ID industrial development	
SO sensitive overlay	

[Ord. 12-14 § 3; Ord. 12-12 § 3; Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Ord. 03-08; Code 1971 § 10-10-010.]

~~Chapter 10.95~~

~~C-2 COMMERCIAL ZONE~~

~~Sections:~~

~~10.95.010 Purpose.~~

~~10.95.020 Permitted uses.~~

~~10.95.030 Conditional uses.~~

~~10.95.040 Minimum lot standards.~~

~~10.95.050 Residential dwellings.~~

~~10.95.060 Development theme.~~

~~10.95.070 Development plan.~~

~~10.95.080 Architectural Review Committee.~~

~~10.95.090 Off street parking and loading.~~

~~10.95.100 Signs.~~

~~10.95.110 Special provisions.~~

~~10.95.010 Purpose.~~

~~The purpose of this zone is to provide for a wide range of development opportunities that introduce a mixed use concept. Mixing commercial and residential uses creates an environment where people can live, work, and access commercial and civic facilities, thus creating an activity nexus that promotes an urban environment. [Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Ord. 03-08; Code 1971 § 10-20-010.]~~

~~10.95.020 Permitted uses.~~

~~The following are permitted uses by right provided the parcel of land and structure(s) meet all other provisions of this title or any other applicable ordinances of Syracuse City and receive site plan approval as provided in SCC 10.20.100:~~

~~(A) Animal clinics.~~

~~(B) Business services and professional offices.~~

~~(C) Churches, synagogues, and temples.~~

~~(D) Community or civic services.~~

~~(E) Hotels and motels.~~

~~(F) Public and quasi-public buildings.~~

~~(G) Public parks.~~

~~(H) Restaurants and fast food services.~~

~~(I) Retail trade.~~

~~(J) Theaters and amusement facilities. [Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Ord. 03-18; Ord. 03-08; Code 1971 § 10-20-020.]~~

~~10.95.030 Conditional uses.~~

~~The following may be permitted as conditional uses after application and approval as specified in SCC 10.20.090:~~

~~(A) Accessory uses and buildings (200 square feet or greater) (minor).~~

~~(B) Day care centers (major).~~

~~(C) Dwellings, single family (major).~~

~~(D) Dwellings, two family (major).~~

~~(E) Medical and other health facilities (major).~~

~~(F) Professional non-retail services, up to a maximum 25 percent of the commercial subdivision (major).~~

~~(G) Temporary commercial uses (see SCC 10.35.050) (minor). [Ord. 11-10 § 12; Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Ord. 03-18; Ord. 03-08; Code 1971 § 10-20-030.]~~

~~10.95.040 Minimum lot standards.~~

~~All lots developed and all structures and uses placed on lots shall be in accordance with the following lot standards:~~

~~(A) Lot area: no minimum required.~~

~~(B) Lot width: as required by site plan review.~~

~~(C) Front yard: as required by site plan review.~~

~~(D) Side yards: as required by site plan review.~~

~~(E) Rear yard: 10 feet.~~

~~(F) Building height: the height of buildings over 35 feet may be equal to the horizontal distance from the nearest zone boundary line. Buildings 35 feet high or less may be located within 10 feet of the zone boundary line.~~

~~(G) The Planning Commission shall determine minimum lot standards for residential dwelling units as part of the site plan development. [Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Ord. 03-08; Code 1971 § 10-20-040.]~~

~~10.95.050 Residential dwellings.~~

~~Development of single and two-family dwellings shall conform to the provisions of the area's master plan and ensure compatibility with the overall theme of the development. In no case shall residential dwellings occupy more than 20 percent of the total land developed. To determine the total number of allowable residential dwelling units, deduct 20 percent from the gross acreage, for roads and other public spaces, and multiply the sum by nine and one-tenth. The Architectural Review Committee shall approve the site plan prior to its submittal to the Planning Commission for consideration. Residential development shall also be part of the 20 percent permitted in conjunction with commercial structures allowed in the zone. [Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Ord. 03-08; Code 1971 § 10-20-050.]~~

~~10.95.060 Development theme.~~

~~Development in this zone shall conform to an approved development theme. The theme shall be approved by the City Council, and shall conform to the provisions outlined in the area's master plan. [Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Ord. 03-08; Code 1971 § 10-20-060.]~~

~~10.95.070 Development plan.~~

~~To ensure development conforms to the area's master plan, City staff shall review and approve all development plans. Drawings should include the placement of buildings and their uses, landscaping, parking, lighting, and design guidelines outlined in the area's master plan. The Architectural Review Committee shall likewise review and approve the plans prior to consideration and recommendation by the Planning Commission. [Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Ord. 03-08; Code 1971 § 10-20-070.]~~

~~10.95.080 Architectural Review Committee.~~

~~This committee shall consist of seven members appointed by the Mayor, with the consent of City Council, to review development plans. Members shall be representatives of the community, City Council, Planning Commission, and City staff. The Committee shall be responsible to review the plan and make recommendations to the Planning Commission for consideration. The Planning Commission will, in turn, submit their recommendations to the City Council for approval. [Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Ord. 03-08; Code 1971 § 10-20-080.]~~

~~10.95.090 Off-street parking and loading.~~

~~Off-street parking and loading shall be provided as specified in Chapter 10.40 SCC. [Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Ord. 03-08; Code 1971 § 10-20-090.]~~

~~10.95.100 Signs.~~

~~Signs permitted in this zone shall be those allowed in commercial or residential areas by Chapter 10.45 SCC. [Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Ord. 03-08; Code 1971 § 10-20-100.]~~

~~10.95.110 Special provisions.~~

~~(A) All lots, parcels, or sites shall have a minimum 15 percent of the total area landscaped, including all required front yards, installed within four months of occupancy and permanently maintained in good condition.~~

~~(B) Temporary buildings shall meet the provisions of the currently adopted editions of the International Building Code and must be sufficiently anchored to withstand a 100-mile-per-hour wind.~~

~~(C) Commercial uses that require grease traps/interceptors shall locate such devices on the outside of the restaurant or food service building and frequently and effectively service such devices to maintain them in satisfactory working order to protect the sanitary sewer system from excessive contaminants. A licensed hauler shall dispose of all materials removed from a grease trap/interceptor at an approved disposal site in a lawful manner. Restaurant, food service businesses, or commercial uses of used fryer oil shall dispose of such oil into a self-contained oil-rendering tank for disposal and transport. Outside or "refuse/dumpster" storage of oil-rendering barrels or other containers is prohibited.~~

~~(D) In order to minimize the possibility of commercial properties becoming blighted, retail establishments of 40,000 square feet or greater shall enter into a facility use agreement with the City prior to the issuance of a building permit. Additionally, the owner shall submit a facility maintenance plan as required in subsection (D)(3) of this section 30 days prior to the owner vacating the building.~~

~~(1) The terms "vacant" or "vacate" as used herein shall mean that no business activity is undertaken from the retail establishment for a period of 180 consecutive days.~~

~~(2) The facility use agreement shall outline the responsibility of the owner to remove the building, should it become vacant for more than three and one half consecutive years, and shall provide legal remedies to enforce the terms of the agreement. In the event a building is vacant for more than three and one half consecutive years, the owner shall remove the building and restore the property to a safe and compatible condition. The facility use agreement shall be in substantially the following form, which form is hereby adopted as part of this title.~~

Facility Use Agreement

~~AN AGREEMENT BY AND BETWEEN _____, A _____,
HEREINAFTER REFERRED TO AS OWNER, AND SYRACUSE CITY, A MUNICIPAL CORPORATION
HEREINAFTER REFERRED TO AS CITY.~~

Recitals

~~(1) The Owner desires to construct a commercial facility, at approximately _____, in Syracuse City to conduct a business known as _____.~~

~~(2) The City has adopted ordinances to govern the development of commercial property within Syracuse City designed to protect the health, safety, and welfare of the community.~~

~~(3) The City has valid concern that blighted conditions might occur should said facility or structure become vacant for an extended period of time.~~

~~(4) The Owner and City are desirous to minimize impact to the community should the building become vacant.~~

Agreement

~~NOW, THEREFORE, for and in consideration of the mutual promises, covenants, and conditions set forth herein, and other good and valuable consideration, the Owner and City agree as follows:~~

~~(1) Owner will provide the City a written facility management plan 30 days prior to vacating the building which outlines plans to maintain the property according to City Ordinance. Failure to do so will constitute a breach of this Agreement and entitle the City to injunctive relief to enforce the provisions hereof.~~

~~(2) Should the building remain vacant for 42 consecutive months, the City shall provide written notice to the Owner, at the address as it appears on this Agreement, ordering Owner to remove the building and restore the property to a condition that does not distract from surrounding businesses.~~

~~(3) Should the Owner fail to comply with the City's request to remove the building within 30 days from the mailing date of said notice to the Owner, the City may file suit for specific performance to enforce the terms of this Agreement.~~

~~IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed this _____ day of _____, 20__.~~

~~(Signed, witnessed, and/or attested)~~

~~(3) In the event, for any reason, the retail establishment chooses to vacate the premises for a period of six months or greater, the owner shall submit a facility maintenance plan to the City 30 days prior to vacating. The maintenance plan shall include:~~

~~(a) The estimated time the facility will be vacant.~~

~~(b) Detailed plans to maintain the property during the time it will be vacant.~~

~~(c) Method of securing all entrances to the facility.~~

~~(d) Plans to restrict access to off street parking.~~

~~(e) Plans to remove all advertisement and business signage.~~

~~(f) Plans to market the property.~~

~~(E) Existing residential and accessory structures may remain in this zone for commercial purposes if the property meets all the following conditions:~~

~~(1) The proposed use for the structure conforms with the permitted use for this zone.~~

~~(2) The proposed use of the building does not adversely impact the surrounding area.~~

~~(3) The primary residential structure adds appeal and character to the area, and the property owner ensures appropriate maintenance of all existing structures on the property as well as the entire property itself in order to keep the appeal.~~

~~(4) The lot size has a minimum of 21,780 square feet.~~

~~(5) The parcel has a minimum 110 feet of frontage on an existing public street.~~

~~(6) Setbacks comply with the established minimum requirements for this zone and receive approval with site plan.~~

~~(7) The lot has an existing driveway access from a public street and receives approval with site plan for any proposed modifications to said driveway (The Utah Department of Transportation shall also approve any access located on a state road).~~

~~(8) All off street parking complies with the requirements in Chapter 10.40 SCC and receives approval with site plan.~~

~~(9) All signs and lighting complies with the requirements in Chapter 10.45 SCC and receives approval with site plan.~~

~~(10) All landscape and buffering complies with the established requirements in Chapter 10.30 SCC and receives approval with the site plan.~~

~~(11) The Building and Fire Departments inspect and approve the use. [Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Ord. 05-22; Ord. 03-08; Code 1971 § 10-20-110.]~~

Section 2. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 3. Effective Date. This Ordinance shall become effective immediately after publication or posting.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF SYRACUSE CITY,
STATE OF UTAH, THIS 8th DAY OF APRIL, 2014.**

SYRACUSE CITY

ATTEST:

Cassie Z. Brown, City Recorder

Mayor Terry Palmer

Voting by the City Council:

“AYE” “NAY”

Councilmember Peterson	_____	_____
Councilmember Lisonbee	_____	_____
Councilmember Duncan	_____	_____
Councilmember Johnson	_____	_____
Councilmember Gailey	_____	_____



COUNCIL AGENDA

April 8, 2014

Agenda Item # Proposed Ordinance 14-10 amending various sections of Title Ten of the Syracuse City Code pertaining to land use relative to the C-G Zoning designation.

Factual Summation

Please see the attached:

- a. Proposed Ordinance 14-10 amendment to Title X
- b. Redline Title X

Any question regarding this agenda item may be directed at Sherrie Christensen, Community & Economic Development Director.

Background

As part of the Council request to rescind the C-2 Zone, citizen, Brent Moss approached the City to request that the commercial uses permitted under the C-2 zone and not the C-G zone, be added to the C-G zone. The Planning Commission has reviewed the proposed amendments to the C-G zone and has forwarded a favorable recommendation to the Council.

The Planning Commission held a public hearing on the proposed amendments on March 18, 2014. At a public meeting that same night the Planning Commission recommended to the City Council the adoption of the proposed amendments. Staff concurs that the amendments are appropriate and are in accordance with the amended General Plan.

Summary of Amendments

Section 10.90.010	Adds Community or Civic Services & Theaters and Amusement Facilities as permitted uses.
Section 10.90.030	Adds Day Care Centers (Major) as a Conditional Use.

Recommendation for City Council Approval of Ordinance 14-xx, Various Sections, Title X

The Syracuse City Planning Commission hereby recommends that the City Council approve the adoption of Ordinance 14-10, Amending Title X.

ORDINANCE NO. 14-10

AN ORDINANCE AMENDING VARIOUS SECTIONS OF TITLE X OF THE SYRACUSE CITY MUNICIPAL CODE PERTAINING LAND USE.

WHEREAS, due to the pace of growth in the City there are from time to time small proposed changes to various City ordinances that are warranted; and

WHEREAS, these small proposed changes come to the attention of the Planning Commission through varied means including but not limited to questions, concerns or complaints from the general public and or from developers that are seeking clarification on the language in the City code; and

WHEREAS, the Planning Commission takes each question or concern under consideration and addresses it on case-by-case basis in a fair and judicious manner paying specific attention to the reasonableness and legality of the request as well as the reasonableness and legality of the City's own ordinances; and

WHEREAS, after such consideration Planning Commission will either support and sustain current ordinances as adopted or in other cases have staff research and address each proposed change and put forth amendments to existing ordinances; and

WHEREAS, the Planning Commission now hereby wishes to amend various sections of Title X to address such proposed changes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF SYRACUSE CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Amendment. The following sections of Syracuse City Municipal Code are hereby amended as follows:

| ~~10-18-020~~**10.90.010: PERMITTED USES.** The following are permitted uses by right provided the parcel and building meet all other provisions of this Title or any other applicable ordinances of Syracuse City and receive site plan approval as provided in Section 10-4-090 of this Title. (1991) (Ord. 08-07)

- (A) Agriculture
- (B) Amusement and Recreational Activities
- (C) Animal Clinics (Ord. 11-02)
- (D) Automotive Retail and Routine Maintenance Services (Ord. 08-11)
- (E) Car Washes, full-service tunnel style (Ord. 08-11)
- (F) Churches, Synagogues, and Temples (Ord. 11-02)

| (G) Community or Civic Services

(GH) Dwellings (completed or under construction at the time of adoption of this Title [If such dwellings convert to any other permitted or conditional use allowed in this Section or Section 10-17-030, they may not thereafter convert back to residential use without first obtaining a Conditional Use Permit])

(HI) Hotels and Motels

(IJ) Professional Office Buildings (situated on one [1] acre or less) (Ord. 06-17)

(JK) Public and Quasi-Public Buildings

(KL) Public Parks

(LM) Restaurants and Fast Food Services

(MN) Retail Trade

(O) Theaters and Amusement Facilities

~~10-18-030~~ 10.90.030: **CONDITIONAL USES.** The following may be permitted as conditional uses after application and approval as specified in Section 10-4-080 of this Title. (Ord. 08-07)

(A) Accessory Uses and Buildings (two hundred [200] square feet or greater) [Minor] (Ord. 11-10)

(B) Animal Hospitals [Major] (Ord. 11-02) (Ord. 11-10)

(C) Day Care Centers [Major]

(GD) Professional Non-Retail Services, up to a maximum twenty-five (25) percent of the commercial subdivision. [Major] (Ord. 11-02) (Ord. 11-10)

(DE) Temporary Commercial Uses (see Section 10-7-050) [Minor] (Ord. 11-10)

Section 2. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 3. Effective Date. This Ordinance shall become effective immediately after publication or posting.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF SYRACUSE CITY,
STATE OF UTAH, THIS ___ DAY OF _____, 2014.**

SYRACUSE CITY

ATTEST:

Cassie Z. Brown, City Recorder

Mayor Terry Palmer

Voting by the City Council:

	“AYE”	“NAY”
Councilmember Peterson	_____	_____
Councilmember Lisonbee	_____	_____
Councilmember Duncan	_____	_____
Councilmember Johnson	_____	_____
Councilmember Gailey	_____	_____